

## STATE OF MINNESOTA

## EIGHTY-FIRST SESSION — 1999

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 FORTY-FOURTH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 15, 1999

The House of Representatives convened at 2:30 p.m. and was called to order by Steve Sviggum, Speaker of the House.

Prayer was offered by Father Paul Breza, Diocese of Winona, Winona, Minnesota.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The roll was called and the following members were present:

Abeler	Dorn	Howes	Mahoney	Paymar	Tingelstad
Abrams	Entenza	Huntley	Mares	Pelowski	Tomassoni
Anderson, B.	Erhardt	Jaros	Mariani	Peterson	Trimble
Anderson, I.	Erickson	Jennings	Marko	Pugh	Tuma
Bakk	Finseth	Johnson	McCollum	Rest	Tunheim
Biernat	Folliard	Juhnke	McElroy	Reuter	Van Dellen
Bishop	Fuller	Kahn	McGuire	Rhodes	Vandever
Boudreau	Gerlach	Kalis	Milbert	Rifenberg	Wagenius
Bradley	Gleason	Kelliher	Molnau	Rostberg	Wejzman
Broecker	Goodno	Kielkucki	Mulder	Rukavina	Wenzel
Buesgens	Gray	Knoblach	Mullery	Schumacher	Westerberg
Carlson	Greenfield	Koskinen	Munger	Seagren	Westfall
Carruthers	Greiling	Krinkie	Murphy	Seifert, J.	Westrom
Cassell	Gunther	Kubly	Ness	Seifert, M.	Wilkin
Chaudhary	Haake	Kuisle	Nornes	Skoe	Winter
Clark, J.	Haas	Larsen, P.	Olson	Skoglund	Wolf
Clark, K.	Hackbarth	Larsen, D.	Opatz	Smith	Workman
Daggett	Harder	Leighton	Orfield	Solberg	Spk. Sviggum
Davids	Hasskamp	Lenczewski	Osskopp	Stanek	
Dawkins	Hausman	Leppik	Otremba	Stang	
Dehler	Hilty	Lieder	Ozment	Storm	
Dempsey	Holberg	Lindner	Paulsen	Swenson	
Dorman	Holsten	Luther	Pawlenty	Sykora	

A quorum was present.

Osthoff was excused until 3:20 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Lindner moved that further reading of the Journal be suspended and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

## FISCAL CALENDAR ANNOUNCEMENT

Pursuant to rule 1.22, Bishop announced his intention to place H. F. Nos. 1467 and 2380 on the Fiscal Calendar for Friday, April 16, 1999.

## REPORTS OF CHIEF CLERK

S. F. No. 63 and H. F. No. 629, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Mariani moved that S. F. No. 63 be substituted for H. F. No. 629 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 411 and H. F. No. 263, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Gerlach moved that S. F. No. 411 be substituted for H. F. No. 263 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1279 and H. F. No. 730, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Rukavina moved that the rules be so far suspended that S. F. No. 1279 be substituted for H. F. No. 730 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1404 and H. F. No. 1081, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Skoglund moved that the rules be so far suspended that S. F. No. 1404 be substituted for H. F. No. 1081 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1471 and H. F. No. 1613, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

## SUSPENSION OF RULES

Storm moved that the rules be so far suspended that S. F. No. 1471 be substituted for H. F. No. 1613 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1541 and H. F. No. 1477, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Rostberg moved that S. F. No. 1541 be substituted for H. F. No. 1477 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1746 and H. F. No. 2023, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Krinkie moved that the rules be so far suspended that S. F. No. 1746 be substituted for H. F. No. 2023 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 1831 and H. F. No. 2016, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

#### SUSPENSION OF RULES

Dawkins moved that the rules be so far suspended that S. F. No. 1831 be substituted for H. F. No. 2016 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2120 and H. F. No. 1255, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Skoglund moved that S. F. No. 2120 be substituted for H. F. No. 1255 and that the House File be indefinitely postponed. The motion prevailed.

### REPORTS OF STANDING COMMITTEES

Knoblach from the Committee on Capital Investment to which was referred:

H. F. No. 1388, A bill for an act relating to appropriations; authorizing state bonds; appropriating money for design, architectural drawings, and construction of a World War II veterans memorial.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Bishop from the Committee on Ways and Means to which was referred:

H. F. No. 1467, A bill for an act relating to education; family and early childhood education; providing for children and family support programs, community and systems change, prevention and intervention, and self-sufficiency and lifelong learning; appropriating money; amending Minnesota Statutes 1998, sections 13.46, subdivision 2; 16B.405, subdivision 2; 119A.31, subdivision 1, and by adding a subdivision; 119B.01, subdivisions 1, 2, 10, 12, 12a, 13, 16, 17, and by adding subdivisions; 119B.02, subdivision 1, and by adding subdivisions; 119B.03, subdivisions 1, 2, 3, 4, 6, and 9; 119B.04, subdivision 1; 119B.05, subdivision 1; 119B.06, subdivision 1; 119B.061; 119B.07; 119B.08, subdivision 3; 119B.09, subdivisions 1, 3, and 7; 119B.10, subdivision 1; 119B.11, subdivision 2a; 119B.12, subdivision 2; 119B.13; 119B.14; 119B.15; 119B.18, subdivision 3; 119B.19, subdivision 1, and by adding subdivisions; 119B.20, subdivisions 7, 8, 12, and by adding a subdivision; 119B.21, subdivisions 1, 2, 3, 5, 8, 9, 10, and 11; 119B.23, subdivision 1; 119B.24; 119B.25, subdivision 3; 121A.19; 122A.26, by adding a subdivision; 124D.13, subdivision 2; 124D.135, subdivisions 1 and 3; 124D.19, subdivision 11; 124D.20, subdivision 5; 124D.22; 124D.23, by adding a subdivision; 124D.33, subdivision 3; 124D.52, subdivision 2, and by adding subdivisions; 124D.53, subdivision 3, and by adding a subdivision; 124D.54,

subdivision 1; 125A.35, subdivision 5; 171.29, subdivision 2; 256.01, subdivision 4; 256.045, subdivisions 6, 7, and by adding a subdivision; 256.046, subdivision 1; 256.98, subdivisions 1, 7, and 8; 256.983, subdivisions 3 and 4; and 466.01, subdivision 1; Laws 1997, First Special Session chapter 4, article 1, section 61, subdivisions 2 and 3, as amended; Laws 1998, First Special Session chapter 1, article 1, sections 10 and 11; proposing coding for new law in Minnesota Statutes, chapter 124D; repealing Minnesota Statutes 1998, sections 119A.46; 119B.01, subdivision 15; 119B.03, subdivision 7; 119B.05, subdivisions 6 and 7; 119B.075; 119B.17; 119B.18, subdivisions 1 and 2; 119B.19, subdivisions 3, 4, and 5; 119B.20, subdivisions 1, 2, 3, 4, 5, 6, 9, 10, and 11; 119B.21, subdivisions 4, 6, and 12; 119B.22; 124D.14; and 124D.53, subdivision 6.

Reported the same back with the following amendments:

Page 43, line 26, delete "\$2.83" and insert "\$2.46"

Page 46, line 34, delete "\$18,859,000" and insert "\$18,747,000"

Page 46, line 35, delete "\$21,176,000" and insert "\$21,288,000"

Page 47, line 1, delete "\$17,469,000" and insert "\$17,357,000"

Page 47, line 2, delete "\$1,941,000" and insert "\$1,928,000"

Page 47, line 3, delete "\$19,235,000" and insert "\$19,360,000"

Page 71, line 21, delete "\$50,000" and insert "\$57,000"

Page 71, delete line 22

With the recommendation that when so amended the bill pass.

The report was adopted.

Holsten from the Committee on Environment and Natural Resources Finance to which was referred:

H. F. No. 2388, A bill for an act relating to state government; appropriating money for environmental and natural resources purposes.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1999," "2000," and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively.

#### SUMMARY BY FUND

	1999	2000	2001	TOTAL
General		\$181,058,000	\$178,778,000	\$359,836,000

Petroleum Tank		3,333,000	3,393,000	6,726,000
State Government Special Revenue		44,000	45,000	89,000
Environmental		28,304,000	23,211,000	51,515,000
Solid Waste		6,953,000	7,032,000	13,985,000
Natural Resources		24,683,000	23,908,000	48,591,000
Game and Fish		64,913,000	66,021,000	130,934,000
Minnesota Future Resources		16,007,000	-0-	16,007,000
Environmental Trust	991,000	13,004,000	13,005,000	26,009,000
Great Lakes Protection		200,000	-0-	200,000
TOTAL	\$991,000	\$338,499,000	\$315,393,000	\$654,883,000

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

Sec. 2. POLLUTION CONTROL AGENCY

Subdivision 1. Total Appropriation                      \$ 53,700,000                      \$ 49,011,000

Summary by Fund

General	16,434,000	16,703,000
Petroleum Tank	3,333,000	3,393,000
State Government Special Revenue	44,000	45,000
Environmental	27,036,000	21,938,000
Solid Waste	6,853,000	6,932,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Protection of the Water

15,864,000                      16,568,000

Summary by Fund

General	12,458,000	12,737,000
State Government Special Revenue	44,000	45,000
Environmental	3,112,000	3,786,000
Petroleum Tank	250,000	-0-

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

\$200,000 the first year and \$200,000 the second year are for individual sewage treatment system (ISTS) grants. Any unexpended balance in the first year does not cancel, but is available in the second year.

\$1,375,000 the first year and \$1,375,000 the second year are for grants to local units of government for the clean water partnership program for phase II implementation projects. If the balance in either year is insufficient, the balance remaining in the other year is available for it.

\$265,000 the second year is for feedlot grants for county administration of the feedlot permit program, including inventories. These amounts are transferred to the board of water and soil resources for disbursement in accordance with Minnesota Statutes, section 103B.3369, in cooperation with the pollution control agency. Grants must be matched with a combination of local cash and/or in-kind contributions. Counties receiving these grants shall submit an annual report to the pollution control agency regarding activities conducted under the grant, expenditures made, and local match contributions. First priority for funding shall be given to counties that have requested and received delegation from the pollution control agency for processing of animal feedlot permit applications under Minnesota Statutes, section 116.07, subdivision 7. Delegated counties shall be eligible to receive a grant of either: \$50 multiplied by the number of livestock or poultry farms with sales greater than \$10,000, as reported in the 1997 census of Agriculture, published by the United States Bureau of Census; or \$80 multiplied by the number of feedlots with greater than ten animal units, as determined by a level 2 or level 3 feedlot inventory conducted in accordance with the Feedlot Inventory Guidebook published by the board of water and soil resources, dated June 1991. Any money remaining after the first year is available for the second year.

\$496,000 the first year and \$1,106,000 the second year are from the environmental fund for staff and associated expenses for purposes of addressing issues relating to feedlots to improve water quality.

\$375,000 the first year and \$375,000 the second year are for total maximum daily load allocation studies to improve water quality.

\$250,000 the first year is from the petroleum tank release fund for the following purposes: (1) to purchase and distribute emergency spill response equipment, such as spill containment booms, sorbent pads, and installation tools, along the Mississippi river upstream of drinking water intakes at the locations designated by the agency in consultation with the Mississippi River Defense Network; (2) to purchase mobile trailers to contain the equipment in clause (1) so that rapid deployment can occur; and (3) to conduct spill response training for those groups of responders receiving the spill response equipment described in clause (1). The agency shall develop and administer protocol for the use of

APPROPRIATIONS  
 Available for the Year  
 Ending June 30  
 2000                      2001

the equipment among all potential users, including private contract firms, public response agencies, and units of government. Any money remaining after the first year is available for the second year. This is a one-time appropriation.

\$200,000 the first year and \$200,000 the second year are for a grant to the University of Minnesota center for rural technology and cooperative development for the continued development of water quality cooperatives that own or control alternative discharging sewage systems as defined in Minnesota Statutes, section 115.58, subdivision 1. The university must study and prepare a report to the legislature on the barriers to financing and permitting cost-effective innovative or alternative sewage treatment technologies, systems, methods, and processes under existing statutes, agency rules, and practices, and on the potential for such treatment technologies for reducing point and nonpoint sources of water pollution. As a condition of this grant, the university must submit a work program and submit semiannual progress reports as provided in Minnesota Statutes, section 116P.05, subdivision 2, paragraph (c). This is a one-time appropriation.

\$100,000 for the biennium is for a grant to the Garrison, Kathio, West Mille Lacs Lake Sanitary District for the cost of environmental studies, planning, and legal assistance for sewage treatment purposes. This is a one-time appropriation.

Subd. 3. Protection of the Air

7,871,000                      8,023,000

Summary by Fund

General	181,000	142,000	
Environmental	7,690,000	7,881,000	

\$181,000 the first year and \$142,000 the second year are for mercury reduction strategies other than education programs.

Subd. 4. Protection of the Land

23,008,000                      16,882,000

Summary by Fund

General	1,722,000	1,746,000	
Petroleum Tank	2,891,000	2,951,000	
Environmental	12,678,000	6,417,000	
Solid Waste	5,717,000	5,768,000	

All money in the environmental response, compensation, and compliance account in the environmental fund not otherwise appropriated is appropriated to the commissioners of the pollution control agency and the department of agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (4), (10), (11), and (12). At the beginning of each fiscal year, the two commissioners shall jointly submit an annual



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

Any unencumbered grant and loan balances in the first year do not cancel but are available for grants and loans in the second year.

All money in the metropolitan landfill abatement account in the environmental fund not otherwise appropriated is appropriated to the office of environmental assistance for the purposes of Minnesota Statutes, section 473.844.

Notwithstanding Minnesota Statutes, section 115A.54, subdivision 2, paragraph (h), and rules of the office of environmental assistance, an applicant that receives a grant from money appropriated in Laws 1998, chapter 404, section 8, for less than 25 percent of the total capital costs of a project may be issued a second grant for capital costs of the project from other money appropriated for capital assistance grants. For the purpose of the grants issued under this item, each grant phase of the project shall be considered a separate project, but not for purposes of determining the maximum grant assistance as provided in Minnesota Statutes, section 115A.54, subdivision 2a.

Sec. 4. ZOOLOGICAL BOARD

7,349,000

7,429,000

\$1,900,000 the first year and \$1,900,000 the second year are for operation of the zoo. This is a one-time appropriation.

The zoological board must submit a report to the governor and legislature by February 1, 2000, analyzing alternative governing structures, including, but not limited to, conversion to a private nonprofit or local government entity. The report must include analysis of the impact on ownership of the facility, impacts on employees, and ongoing costs to the state related to any changes in governance structure.

Notwithstanding Laws 1994, chapter 643, section 27, subdivision 2, as amended by Laws 1996, chapter 463, section 54, the zoological board may institute an admission fee increase before April 1, 2000.

The director must determine and report to the environmental finance committees of the legislature on whether altering the hours and dates of operation would reduce the zoo's operating deficit by February 1, 2000.

Sec. 5. NATURAL RESOURCES

Subdivision 1. Total Appropriation

206,396,000

204,694,000

Summary by Fund

General	116,700,000	114,665,000
Natural Resources	24,683,000	23,908,000
Game and Fish	64,913,000	66,021,000
Solid Waste	100,000	100,000

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

Subd. 2. Mineral Resources Management

5,054,000	5,164,000
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\$311,000 the first year and \$311,000 the second year are for iron ore cooperative research, of which \$225,000 the first year and \$225,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$376,000 the first year and \$377,000 the second year are for mineral diversification. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

\$46,000 the first year and \$47,000 the second year are for minerals cooperative environmental research, of which \$30,000 the first year and \$30,000 the second year are available only as matched by \$1 of nonstate money for each \$1 of state money. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Subd. 3. Water Resources Management

14,180,000	13,040,000
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Summary by Fund

General	13,918,000	12,771,000
Natural Resources	262,000	269,000

\$113,000 the first year and \$113,000 the second year are for a grant to the Mississippi headwaters board for up to 50 percent of the cost of updating and implementing the comprehensive plan, under Minnesota Statutes, sections 103F.361 to 103F.377, for the upper Mississippi river corridor within areas under its jurisdiction. The unencumbered balance in the first year does not cancel but is available for the second year. This is a one-time appropriation.

\$200,000 the first year and \$150,000 the second year are for a grant to the Cannon river watershed partnership for protection, conservation, and enhancement of the ecological integrity of the Cannon river watershed. The grant the second year is contingent upon the establishment of a joint powers board by the counties of Steele, Rice, Goodhue, LeSueur, Waseca, and Dakota, and any cities and towns within the counties, to prepare a land use management and recreation plan for the Cannon river watershed; and to eventually provide grant programs for filter strips, side inlet structures, and reconstruction of bridges over sensitive environmental areas. The goal of the plan is to protect the river system's natural beauty, environment, and water quality. The purpose of the plan is to assist local units of government within the Cannon river watershed to adequately plan for the protective management of the river within their jurisdiction. The plan and programs must meet or exceed the requirements of state

**APPROPRIATIONS**  
 Available for the Year  
 Ending June 30  
 2000                      2001

shoreland, floodplain, and wild and scenic river laws. The joint powers board must seek available federal funding, and funding or in-kind services from organizations and local units of government to complete the plan and implement the program.

\$1,100,000 the first year and \$500,000 the second year are for grants to local units of government located within the Red River Basin to develop comprehensive watershed plans, to establish agency interdisciplinary teams for each watershed in the Red River Valley, and to establish and maintain a basin repository including data on flood flows and water supply.

\$118,000 is for a grant to the city of Thief River Falls to finish dredging projects within the city on the Red Lake river and the Thief river. This appropriation is in addition to the appropriation in Laws 1997, chapter 216, section 5, subdivision 3. This appropriation is available to the extent matched by an equal amount of nonstate money until June 30, 2001. This is a one-time appropriation.

\$1,000,000 the first year is for the construction of ring dikes under Minnesota Statutes, section 103F.161. The ring dikes may be publicly or privately owned. This is a one-time appropriation.

\$1,400,000 is transferred to the general fund the first year from the special account established in Minnesota Statutes, section 103G.271, subdivision 6, paragraph (g).

Notwithstanding Minnesota Statutes, section 103G.271, subdivision 6, paragraph (g), all water appropriation fees collected from July 2, 1999, to June 30, 2001, shall be deposited in the general fund.

\$20,000 the first year is for a feasibility study of raising the control elevation of Coon Lake in Anoka county. The study must be completed by February 1, 2000.

Subd. 4. Forest Management

33,840,000                      34,565,000

Summary by Fund

General	33,387,000	34,101,000
Natural Resources	453,000	464,000

\$3,500,000 the first year and \$3,500,000 the second year are for presuppression and suppression costs of emergency fire fighting. If the appropriation for either year is insufficient to cover all costs of suppression, the amount necessary to pay for emergency firefighting expenses during the biennium is appropriated from the general fund. If money is spent under the appropriation in the preceding sentence, the commissioner of natural resources shall, by 15 days after the end of the following quarter, report on how the money was spent to the chairs of the house of representatives ways and means committee, the environment and agriculture



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

\$120,000 the first year is for the planning, development, and construction of the Gitchi-Gami trail on the north shore of Lake Superior. The trail must be designed primarily for hiking and bicycling and must connect communities, state parks, and other points of interest along the north shore. This is a one-time appropriation.

\$550,000 is to develop nonpaved alternative trails that are adjacent to Heartland and Paul Bunyan state trails. This is a one-time appropriation.

\$175,000 is for a grant to the Ramsey county board of commissioners and the Washington county board of commissioners to cooperatively develop a master plan, with the cooperation and assistance of the Minnesota parks and trails council, for a trail around Silver Lake, a White Bear Lake to Stillwater regional trail, a trail and route around White Bear Lake and trail connections with the Gateway trail and other state or regional trails within the counties. The master plan must be developed with the cities of North St. Paul, Maplewood, Oakdale, Birchwood, Dellwood, Mahtomedi, and White Bear Lake, White Bear township, and the departments of natural resources and transportation.

\$1,500,000 the first year and \$75,000 the second year are from the natural resources fund to plan, acquire, develop, and operate the Iron Range off-highway vehicle recreation area. The first year appropriation is one-time and available until expended. Of the amount appropriated the first year, \$750,000 is from the all-terrain vehicle account, \$600,000 is from the off-road vehicle account, and \$15,000 is from the off-highway motorcycle account. The appropriations are available until expended.

\$1,000,000 is to the city of St. Paul for the acquisition of the portion of the Trout Brook Corridor located between Maryland Avenue, I-35E, Cayuga Street, and Agate Street. The lands shall be acquired for the reestablishment of natural habitat, as well as passive recreational and environmental educational opportunities. This is a one-time appropriation.

\$50,000 the first year is for a grant to the city of Silver Bay for supplies and equipment to furnish and equip the interior of the harbor administration building.

Subd. 7. Fish and Wildlife Management

51,535,000	52,205,000
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Summary by Fund

General	8,396,000	8,076,000
Natural Resources	2,091,000	2,132,000
Game and Fish	41,048,000	41,997,000

\$4,500,000 the first year and \$4,500,000 the second year are from the game and fish fund. Eighty-five percent of this appropriation must be used for regional field operations.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

\$923,000 the first year and \$943,000 the second year are from the nongame wildlife management account in the natural resources fund for the purpose of nongame wildlife management. Any unencumbered balance remaining in the first year does not cancel but is available the second year.

\$1,337,000 the first year and \$1,361,000 the second year are for the reinvest in Minnesota programs of game and fish, critical habitat, and wetlands established under Minnesota Statutes, section 84.95, subdivision 2. Any unencumbered balance for the first year does not cancel but is available for use the second year.

\$1,110,000 the first year and \$1,117,000 the second year are from the wildlife acquisition account for only the purposes specified in Minnesota Statutes, section 97A.071, subdivision 2a.

\$860,000 the first year and \$881,000 the second year are from the deer habitat improvement account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 1, paragraph (b).

\$60,000 the first year and \$61,000 the second year are from the deer and bear management account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 1, paragraph (c).

\$668,000 the first year and \$673,000 the second year are from the waterfowl habitat improvement account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 2.

\$652,000 the first year and \$654,000 the second year are from the trout and salmon management account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 3.

\$545,000 the first year and \$545,000 the second year are from the pheasant habitat improvement account for only the purposes specified in Minnesota Statutes, section 97A.075, subdivision 4. In addition to the purposes specified in Minnesota Statutes, section 97A.075, subdivision 4, this appropriation may be used for pheasant restocking efforts.

\$1,565,000 the first year and \$1,565,000 the second year are for field operation costs associated with the division of wildlife and fish. Eighty-five percent of this appropriation must be used for regional field operations.

\$530,000 the first year and \$530,000 the second year are for expansion of the walleye stocking program.

\$160,000 the first year is split equally for a joint development with the office of tourism to develop a Minnesota river valley birding trail and a Mississippi river valley birding trail, with the assistance of the Minnesota Audubon Society. The Mississippi river parkway commission also shall assist with the Mississippi

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

river valley birding trail. A work plan for each trail must be developed by the department of natural resources and approved by the legislative commission on Minnesota resources. The appropriation is available for the biennium ending June 30, 2001.

Subd. 8. Enforcement

20,884,000                      21,331,000

Summary by Fund

General	3,572,000	3,645,000
Natural Resources	3,926,000	3,982,000
Game and Fish	13,286,000	13,604,000
Solid Waste	100,000	100,000

\$1,082,000 the first year and \$1,082,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety.

\$130,000 the first year and \$130,000 the second year are to continue the enforcement community liaison officers program.

Overtime shall be distributed to conservation officers at historical levels. In the case of an unallotment, the overtime bank may be reduced in proportion to reductions made in other areas of the budget.

If Minnesota Statutes, section 86B.415, subdivision 7a, is repealed, a refund of the \$50 surcharge shall be issued by the commissioner to any person who demonstrates having paid the fee.

\$40,000 the first year and \$40,000 the second year are from the natural resources fund for enforcement activities relating to the Iron Range off-highway vehicle recreation area. Of the amount appropriated, \$40,000 is from the all-terrain vehicle account, \$32,000 is from the off-road vehicle account, and \$8,000 is from the off-highway motorcycle account.

Subd. 9. Operations Support

30,694,000                      31,005,000

Summary by Fund

General	18,428,000	18,529,000
Natural Resources	3,584,000	3,664,000
Game and Fish	8,682,000	8,812,000

The commissioner of natural resources may contract with and make grants to nonprofit agencies to carry out the purposes, plans, and programs of the office of youth programs, Minnesota conservation corps.

\$100,000 the first year and \$100,000 the second year are an increase in the base appropriation for the Minnesota conservation corps program activities.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

The board shall reduce the amount of the natural resource block grant to a county by an amount equal to any reduction in the county's general services allocation to a soil and water conservation district from the county's 1998 allocation.

Grants must be matched with a combination of local cash or in-kind contributions. The base grant portion related to water planning must be matched by an amount that would be raised by a levy under Minnesota Statutes, section 103B.3369.

\$3,867,000 the first year and \$3,867,000 the second year are for grants to soil and water conservation districts for general purposes and for implementation of the RIM conservation reserve program. Upon approval of the board, expenditures may be made from these appropriations for supplies and services benefiting soil and water conservation districts. The appropriation is in addition to any money distributed under Minnesota Statutes, section 103C.401, subdivision 2.

\$500,000 is for a grant to the Minneapolis parks and recreation board to mitigate flooding, restore and stabilize the shoreline, and provide for wetland replacement at Lake of the Isles. This is a one-time appropriation.

\$50,000 the first year and \$50,000 the second year are for the Blue Earth river basin initiative in Minnesota Statutes, sections 103F.191 to 103F.197. This is a one-time appropriation.

Any unencumbered balance in the board's program of grants does not cancel at the end of the first year and is available for the second year for the same grant program.

Sec. 7. CITIZENS COUNCIL ON VOYAGEURS NATIONAL PARK	66,000	-0-
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The council's duties shall expire on June 30, 2000.

Sec. 8. SCIENCE MUSEUM OF MINNESOTA	1,199,000	1,235,000
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Sec. 9. MINNESOTA-WISCONSIN BOUNDARY AREA COMMISSION	-0-	-0-
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Sec. 10. MINNESOTA ACADEMY OF SCIENCE	41,000	41,000
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Sec. 11. TRANSPORTATION	200,000	-0-
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\$200,000 is for a grant to the city of Savage or Scott county, or both, for engineering and environmental studies relating to the extension of Scott county state-aid highway No. 27 in the vicinity of the Savage fen wetlands complex. This is a one-time appropriation.

Sec. 12. ADMINISTRATION	200,000	200,000
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\$200,000 the first year and \$200,000 the second year are for a grant to the Minnesota Children's Museum to fund Project GreenStart. The appropriation shall be used to enhance curricular

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

programming, expand community outreach, and continue development of exhibit-based education. This is a one-time appropriation.

Sec. 13. MINNESOTA RESOURCES

Subdivision 1. Total Appropriation	29,211,000	13,005,000
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Summary by Fund

Minnesota Future Resources Fund	16,007,000		-0-	
Environment and Natural Resources Trust Fund	13,004,000		13,005,000	
Great Lakes Protection Account	991,000	200,000	-0-	

Appropriations from the Minnesota future resources fund and the Great Lakes protection account are available for either year of the biennium.

For appropriations from the environment and natural resources trust fund, any unencumbered balance remaining in the first year does not cancel and is available for the second year of the biennium.

Unless otherwise provided, the amounts in this section are available until June 30, 2001, when projects must be completed and final products delivered.

Subd. 2. Definitions

(a) "Future resources fund" means the Minnesota future resources fund referred to in Minnesota Statutes, section 116P.13.

(b) "Trust fund" means the Minnesota environment and natural resources trust fund referred to in Minnesota Statutes, section 116P.02, subdivision 6.

(c) "Great Lakes protection account" means the account referred to in Minnesota Statutes, section 116Q.02.

Subd. 3. Legislative Commission on Minnesota Resources

	583,000	284,000
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Summary by Fund

Future Resources Fund	300,000		-0-	
Trust Fund	283,000		284,000	

\$300,000 is from the future resources fund and \$283,000 the first year and \$284,000 the second year are from the trust fund, pursuant to Minnesota Statutes, section 116P.09, subdivision 5.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

## Subd. 4. Recreation

	8,032,000	2,720,000
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## Summary by Fund

Future Resources Fund	5,312,000	-0-
Trust Fund	2,720,000	2,720,000

## (a) Local Initiatives Grants Program

This appropriation is to the commissioner of natural resources to provide matching grants, as follows:

(1) \$1,978,000 is from the future resources fund to local units of government for local park and recreation areas of up to \$250,000 notwithstanding Minnesota Statutes, section 85.019. \$50,000 is to complete the Larue Pit Recreation Development. \$28,000 is to the city of Hitterdal for park construction at Lake Flora. \$460,000 is available immediately upon enactment.

(2) \$435,000 the first year and \$435,000 the second year are from the trust fund to local units of government for natural and scenic areas pursuant to Minnesota Statutes, section 85.019.

(3) \$1,484,000 is from the future resources fund for trail grants to local units of government on land to be maintained for at least 20 years for the purposes of the grant. \$500,000 is for grants of up to \$50,000 per project for trail linkages between communities, trails, and parks, and \$720,000 is for grants of up to \$250,000 for locally funded trails of regional significance outside the metropolitan area. \$54,000 is to the Department of Natural Resources for planning and archaeological costs to develop a multiuse trail connecting the Douglas Trail in Rochester with Chester Woods County Park and the cities of Eyota and Dover. \$50,000 is to the upper Minnesota River valley regional development commission for the preliminary design and engineering of a single segment of the Minnesota River trail from Appleton to the Milan Beach on Lake Lac Qui Parle. \$160,000 is to the Department of Natural Resources to resurface four miles of recreational trail from the town of Milan to Lake Lac Qui Parle in Chippewa county.

(4) \$305,000 the first year and \$305,000 the second year are from the trust fund for a statewide conservation partners program, to encourage private organizations and local governments to cost share improvement of fish, wildlife, and native plant habitats and research and surveys of fish and wildlife. Conservation partners grants may be up to \$20,000 each. \$10,000 is for an agreement with the Canby Sportsman's Club for shelterbelts for habitat and erosion control.

(5) \$100,000 the first year and \$100,000 the second year are from the trust fund for environmental partnerships program grants of up to \$20,000 each for environmental service projects and related education activities through public and private partnerships.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

In addition to the required work program, grants may not be approved until grant proposals to be funded have been submitted to the legislative commission on Minnesota resources and the commission has approved the grants or allowed 60 days to pass. The commission shall monitor the grants for approximate balance over extended periods of time between the metropolitan area as defined in Minnesota Statutes, section 473.121, subdivision 2, and the nonmetropolitan area through work program oversight and periodic allocation decisions. For the purpose of this paragraph, the match must be nonstate contributions, but may be either cash or in-kind. Recipients may receive funding for more than one project in any given grant period. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program. If a project financed under this program receives a federal grant, the availability of the financing from this subdivision for that project is extended to equal the period of the federal grant.

(b) Mesabi Trail Land Acquisition and Development - Continuation

\$1,000,000 is from the future resources fund to the commissioner of natural resources for an agreement with St. Louis and Lake Counties Regional Rail Authority for the fourth biennium to develop and acquire segments of the Mesabi trail and procure design and engineering for trail heads and enhancements. This appropriation must be matched by at least \$1,000,000 of nonstate money. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(c) Kabetogama to Ash River Community Trail System

\$100,000 is from the future resources fund to the commissioner of natural resources for an agreement with Kabetogama Lake Association in cooperation with the National Park Service for trail construction linking Lake Kabetogama, Ash River, and Voyagers National Park. This appropriation must be matched by at least \$100,000 of nonstate money.

This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(d) Mesabi Trail Connection

\$80,000 is from the future resources fund to the commissioner of natural resources for an agreement with the East Range Joint Powers Board to develop trail connections to the Mesabi Trail with the communities of Aurora, Hoyt Lakes, and White. This appropriation must be matched by at least \$80,000 of nonstate money. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

(e) Dakota County Bikeway Mapping

\$15,000 is from the future resources fund to the metropolitan council for an agreement with Dakota county to cost share the integration of digital elevation information in the Dakota county geographic information system database with trail and bikeway routes and develop maps for trail and bikeway users.

(f) Mississippi Riverfront Trail and Access

\$155,000 is from the future resources fund to the commissioner of natural resources for an agreement with the city of Hastings to acquire and restore the public access area and to complete the connecting riverfront trail from the public access to lock and dam number two adjacent to Lake Rebecca. This appropriation must be matched by at least \$155,000 of nonstate money.

(g) Management and Restoration of Natural Plant Communities on State Trails

\$75,000 the first year and \$75,000 the second year are from the trust fund to the commissioner of natural resources to manage and restore natural plant communities along state trails under Minnesota Statutes, section 85.015

(h) Gitchi-Gami State Trail

\$275,000 the first year and \$275,000 the second year are from the trust fund to the commissioner of natural resources for construction of the Gitchi-Gami state trail through Split Rock State Park. The commissioner must submit grant requests for supplemental funding for federal TEA-21 money in eligible categories and report the results to the legislative commission on Minnesota resources. All segments of the trail must become part of the state trail system. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(i) State Park and Recreation Area Acquisition, Development, Betterment, and Rehabilitation

\$500,000 the first year and \$500,000 the second year are from the trust fund to the commissioner of natural resources as follows: (1) for state park and recreation area acquisition, \$500,000; and (2) for state park and recreation area development, rehabilitation, and resource management, \$500,000, unless otherwise specified in the approved work program. The use of the Minnesota conservation corps is encouraged. The commissioner must submit grant requests for supplemental funding for federal TEA-21 money in eligible categories and report the results to the legislative commission on Minnesota resources. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

(j) Interpretive Boat Tours of Hill Annex Mine State Park

\$30,000 the first year and \$30,000 the second year are from the trust fund to the commissioner of natural resources to add interpretive boat excursion tours of the mine. The project will include purchase and equipping of a craft and development of a landing area.

(k) Metropolitan Regional Parks Acquisition, Rehabilitation, and Development

\$1,000,000 the first year and \$1,000,000 the second year are from the trust fund to the metropolitan council for subgrants for acquisition, development, and rehabilitation in the metropolitan regional park system, consistent with the metropolitan council regional recreation open space capital improvement plan. This appropriation may be used for the purchase of homes only if the purchases are expressly included in the work program approved by the legislative commission on Minnesota resources. The metropolitan council shall collect and digitize all local, regional, state, and federal parks and all off-road trails with connecting on-road routes for the metropolitan area and produce a printed map that is available to the public. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(l) Como Park Campus Maintenance

\$500,000 is from the future resources fund to the city of St. Paul for a subsidy for the maintenance of live plant and animal exhibits for the zoo and the conservatory at the Como Park campus.

Subd. 5. Historic	477,000	213,000
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Summary by Fund

Future Resources			
Fund	265,000	-0-	
Trust Fund	212,000	213,000	

(a) Using National Register Properties to Interpret Minnesota History

\$90,000 is from the future resources fund to the Minnesota Historical Society to create interactive, mini-documentaries in Internet format using the National Register properties to interpret selected themes in Minnesota history.

(b) Historic Site Land Acquisition

\$87,000 the first year and \$88,000 the second year are from the trust fund to the Minnesota Historical Society to purchase land adjacent to the Lower Sioux Agency, Jeffers Petroglyphs, and

**APPROPRIATIONS**  
 Available for the Year  
 Ending June 30  
 2000                      2001

Oliver Kelley Farm sites to protect the historic resources. Allocation of dollars between the three sites shall be determined based on the willingness of sellers and reasonable purchase prices at the respective sites. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(c) Gibbs Farm Museum Interpretation

\$150,000 is from the future resources fund to the Minnesota Historical Society for an agreement with Ramsey County Historical Society to build and furnish replica structures of historic lifestyles and land use of the Dakota and pioneers.

(d) Traverse des Sioux Site Development

\$125,000 the first year and 125,000 the second year are from the trust fund to the Minnesota Historical Society to improve public access to state historic site Traverse des Sioux including trails, interpretive markers, and basic visitor amenities.

(e) Old Wadena Historic Site Development

\$25,000 is from the future resources fund to the Minnesota Historical Society for an agreement with Wah De Nah Historic and Environmental Learning Project to develop a footbridge, archaeological survey, and educational programs. This appropriation must be matched by at least \$6,000 of nonstate money.

Subd. 6. Water Quality

	1,730,000	730,000
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Summary by Fund

Future Resources		
Fund	1,000,000	-0-
Trust Fund	730,000	730,000

(a) On-Site Sewage Treatment Alternatives; Performance, Outreach and Demonstration - Continuation

\$275,000 the first year and \$275,000 the second year are from the trust fund to the commissioner of the pollution control agency for the third biennium to monitor previously built test sites for pathogen removal and other parameters for indicators of treatment efficiency, to determine maintenance needs and system longevity, and to pursue the establishment of cooperative demonstration projects.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

(a) Green Forest Certification Project

\$75,000 the first year and \$75,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with the Institute for Agriculture and Trade Policy to certify foresters and to evaluate private forest lands for green certification.

(b) Accelerated Transfer of New Forest - Research Findings

\$58,000 the first year and \$57,000 the second year are from the trust fund to the University of Minnesota to accelerate educational programming by the sustainable forest education cooperative on the practical application of landscape-level analysis in site-level forest management.

(c) Minnesota Wildlife Tourism Initiative

\$125,000 the first year and \$125,000 the second year are from the trust fund to the commissioner of natural resources to develop, implement, and evaluate a project focusing on wildlife tourism as a sustainable industry in Minnesota in cooperation with the office of tourism.

(d) Integrated Prairie Management

\$175,000 the first year and \$175,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with the University of Minnesota and Clay county in a cooperative project for an aggregate resource inventory on public lands, prairie restoration and research, and stewardship plans for management options. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(e) Improved Agricultural Systems Overlying Sensitive Aquifers in Southwestern Minnesota

\$200,000 is from the future resources fund to the commissioner of agriculture for an agreement with the University of Minnesota, Southwest Experiment Station, to provide technical support, research, systems evaluation, and advisory teams to protect sensitive alluvial aquifers threatened by nitrate contamination in southwest Minnesota.

(f) Commercial Fertilizer Plant for Livestock Solid Waste Processing

\$400,000 is from the future resources fund to the agricultural utilization research institute for an agreement with AquaCare International, Inc. to establish a commercial grade fertilizer plant that will enhance and process animal wastewater solids through micronization technology. This appropriation must be matched by at least \$425,000 of nonstate money. As a condition of receiving this appropriation, AquaCare International, Inc. must agree to pay to the state a royalty. Notwithstanding Minnesota Statutes, section

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

116P.10, the royalty must be two percent of gross revenues accruing to AquaCare International, Inc. from this application of micronization technology. Receipts from the royalty must be credited to the fund.

(g) Preservation of Native Wild Rice Resource

\$200,000 is from the future resources fund to the commissioner of natural resources for an agreement with Leech Lake Reservation to analyze critical factors in different northern rice habitats and determine methods to preserve the natural diversity of wild rice. This appropriation must be matched by at least \$45,000 of nonstate money.

(h) Wild Rice Management Planning

\$200,000 is from the future resources fund to the commissioner of natural resources for an agreement with the Boise Forte Band of Chippewa to develop databases and management plans for northern wild rice lakes. This appropriation must be matched by at least \$20,000 of nonstate money.

(i) Mesabi Iron Range, Water and Mineral Resource Planning

\$200,000 the first year and \$200,000 the second year are from the trust fund to the commissioner of natural resources. \$125,000 the first year and \$125,000 the second year are from the trust fund to the University of Minnesota to develop and assemble essential data on stockpile composition and ownership, complete hydrogeologic base maps, site and design an overflow outlet, and distribute results to local government and industry. This project is to be coordinated by the Range Association of Municipalities and Schools. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(j) Sustainable Aquaculture Development in Minnesota

\$130,000 is from the future resources fund to the commissioner of agriculture in cooperation with the University of Minnesota to develop, demonstrate, and evaluate prototypes of aquaponic systems that operate in an urban environment and use a combination of aquacultural and hydroponic techniques to produce fish and plants for human consumption. \$55,000 is from the future resources fund to the commissioner of agriculture in cooperation with the MinAqua Fisheries Cooperative, with assistance from the University of Minnesota, for the purchase, operation, and demonstration of ozonation equipment for water treatment and conditioning in large recirculating aquaculture systems. These appropriations are available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program. As a condition of receiving this appropriation, MinAqua Fisheries Cooperative must agree to pay to the state a royalty.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

Notwithstanding Minnesota Statutes, section 116P.10, the royalty must be two percent of the gross revenues accruing to MinAqua Fisheries Cooperative from this application of ozonation technology. Receipts from the royalty must be credited to the fund.

(k) Sustainable Farming Systems - Continuation

\$350,000 is from the future resources fund to the University of Minnesota, Minnesota Institute for Sustainable Agriculture, for on-farm and experiment station research, documentation and dissemination of information on alternative farm practices in order to integrate recent scientific advances, improve farm efficiencies, promote profitability, and to enhance environmental quality.

(l) Sustainable Livestock Systems

\$350,000 is from the future resources fund to the commissioner of agriculture for an agreement with the University of Minnesota, West Central Experiment Station, for on-farm research and education programs to support small- to moderate-scale farms through whole farm planning and monitoring of forage-based livestock systems.

(m) Forest Wildlife Biologist for Ruffed Grouse

\$1,000,000 is from the future resources fund to the commissioner of natural resources for an agreement with the Ruffed Grouse Society, Inc. to fund a position and related costs for a forest wildlife biologist employed by the society that will provide technical assistance to public and private landowners for improved ruffed grouse habitat and related forest wildlife conservation. The activity funded by this appropriation must be done in collaboration with institutes of higher learning and state agencies. The amounts of this appropriation made available in each fiscal year must not exceed those stated in the work program. As a condition of receiving this appropriation, the society must demonstrate that it has created a private endowment to fund this position and related costs with nonstate money after this appropriation has been spent. The society must demonstrate that it has a sound financial plan to increase the principal of the endowment to at least \$1,000,000 of nonstate money by January 1, 2000, and to \$2,000,000 of nonstate money by June 30, 2007. The work program must provide that failure of the society to meet the goals of the financial plan on time will cause further payments from this appropriation to be withheld until the goals are met. This appropriation is available until June 30, 2007, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(n) Organic Farming Training Project

\$175,000 the first year and \$175,000 the second year are from the trust fund to the commissioner of agriculture for an agreement with the Minnesota Food Association in cooperation with the



**APPROPRIATIONS**  
 Available for the Year  
 Ending June 30  
 2000                      2001

(d) Conservation-Based Development Program

\$75,000 the first year and \$75,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Land Trust to design four model developments and acquire conservation easements within new developments that enhance the natural, rural landscape. This appropriation must be matched by at least \$65,000 of nonstate money.

(e) Chisago Lakes Outlet Channel Project

\$40,000 is from the future resources fund to the commissioner of natural resources for an agreement with Chisago county to complete the final construction phase of the outlet channel at Chisago Lakes. This appropriation must be matched by at least \$50,000 of nonstate money.

Subd. 9. Decision-Making Tools

795,000	500,000
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Summary by Fund

Future Resources		
Fund	295,000	-0-
Trust Fund	500,000	500,000

(a) Goodhue County Natural Resources Inventory and Management Plan

\$75,000 is from the future resources fund to the board of water and soil resources for an agreement with Goodhue county to inventory, evaluate, and describe natural resources and create a geographic information system-based map and database. The appropriation must be matched by at least \$50,000 of nonstate money.

(b) Public Access to Mineral Knowledge

\$100,000 is from the future resources fund to the department of natural resources to accelerate the automation of historic mineral exploration information and to make the database accessible and searchable.

(c) Updating Outmoded Soil Surveys - Continuation

\$250,000 the first year and \$250,000 the second year are from the trust fund to the board of water and soil resources for the first biennium of a four biennia project to accelerate a statewide program to begin to update and digitize soil surveys in up to 25 counties, including Fillmore county. Participating counties must provide a cost share.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

(b) Karst Education for Southeastern Minnesota

\$60,000 the first year and \$60,000 the second year are from the trust fund to the board of water and soil resources for an agreement with the Southeast Minnesota Water Resources Board to develop teacher training workshops, educational materials, and exhibits demonstrating the connections between land use and ground water contamination in southeastern Minnesota.

(c) Accessible Outdoor Recreation

\$200,000 the first year and \$200,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with wilderness inquiry to survey facilities in at least 50 state recreation units for the Minnesota guide to universal access, develop assessments of inclusion in recreation and environmental education activities, and provide opportunities for participation. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(d) Science Outreach and Integrated Learning on Soil

\$125,000 the first year and \$125,000 the second year are from the trust fund to the Science Museum of Minnesota to develop a soils experiment center and demonstration plots to increase the awareness of soil science and soil health. This appropriation must be matched by at least \$100,000 of nonstate money. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(e) Development and Rehabilitation of Recreational Shooting Ranges

\$350,000 is from the future resources fund to the commissioner of natural resources to provide cost-share grants to local recreational shooting clubs for the purpose of developing or rehabilitating shooting sports facilities for public use. In addition to the required work program, grants may not be approved until grant proposals to be funded have been submitted to the legislative commission on Minnesota resources and the commission has approved the grants or allowed 60 days to pass.

(f) Youth Outdoor Environmental Education Program

\$100,000 is from the future resources fund to the commissioner of natural resources for an agreement with Dakota county to develop youth-at-risk environmental education programs.

(g) Twin Cities Environmental Service Learning - Continuation

\$20,000 the first year and \$20,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with Eco Education to provide training and matching grants for student service environmental learning projects. This appropriation must be matched by at least \$40,000 of nonstate money.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

(a) Measuring Children's Exposures to Environmental Health Hazards

\$250,000 the first year and \$250,000 the second year are from the trust fund to the University of Minnesota in cooperation with the department of health to augment a federal study of exposure of children to multiple environmental hazards, to evaluate comparative health risks, and to design intervention strategies.

(b) Minnesota County Biological Survey - Continuation

\$800,000 the first year and \$800,000 the second year are from the trust fund to the commissioner of natural resources for the seventh biennium of a 12-biennia project to accelerate the survey that identifies significant natural areas and systematically collects and interprets data on the distribution and ecology of natural communities, rare plants, and animals.

(c) Environmental Indicators Initiative - Continuation

\$200,000 the first year and \$200,000 the second year are from the trust fund to the commissioner of natural resources for the third and final biennium to complete a set of statewide environmental indicators that will assist public understanding of Minnesota environmental health and the effectiveness of sustainable development efforts.

(d) Dakota County Wetland Health Monitoring Program

\$80,000 the first year and \$80,000 the second year are from the trust fund to the commissioner of the pollution control agency for an agreement with Dakota county to evaluate wetland health through citizen volunteers, develop wetland biodiversity projects in urban areas, and conduct public education.

(e) Predicting Water and Forest Resources Health and Sustainability

\$150,000 the first year and \$150,000 the second year are from the trust fund to the University of Minnesota, Natural Resources Research Institute, to assess ecosystem health using indicators and to develop models that incorporate landscape composition change.

(f) Potential for Infant Risk from Nitrate Contamination

\$200,000 is from the future resources fund to the commissioner of health to study nitrate and bacteria-contaminated drinking water of infants and families at risk.

(g) Assessing Lake Superior Waters Off the North Shore

\$100,000 the first year and \$100,000 the second year of this appropriation are from the trust fund, and \$200,000 is from the Great Lakes protection account to the University of Minnesota Duluth for a pilot program to establish benchmark data for Lake Superior. Expenses may not include capital cost for a research vessel. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

(b) National Prairie Passage; Linking Isolated Prairie Preserves

\$75,000 the first year and \$75,000 the second year are from the trust fund to the commissioner of transportation to link isolated tallgrass prairie preserves with corridors of prairie. This appropriation must be matched by at least \$600,000 of nonstate money.

(c) Greening the Metro Mississippi-Minnesota River Valleys

\$400,000 the first year and \$400,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with Greening the Great River Park to implement private and public habitat projects in the Mississippi and Minnesota River Valleys. This appropriation must be matched by at least \$374,000 of nonstate money and cost sharing is required for projects on private lands. This appropriation is available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(d) Restoring the Greater Prairie Chicken to Southwestern Minnesota

\$30,000 the first year and \$30,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with the Minnesota Prairie Chicken Society to restore the greater prairie chicken to appropriate habitat.

(e) Prairie Heritage Fund - Continuation

\$342,000 the first year and \$342,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with Pheasants Forever, Inc. to acquire and develop land for prairie grasslands and wetlands to be donated to the public. The land must be open and accessible to the public. This appropriation must be matched by at least \$500,000 of money. In addition to the required work program, parcels may not be acquired until parcel lists have been submitted to the legislative commission on Minnesota resources and the commission has approved the parcel list or allowed 60 days to pass.

(f) Public Boat Access and Fishing Piers

\$500,000 the first year and \$500,000 the second year are from the trust fund, and \$610,000 is from the future resources fund to the commissioner of natural resources for increased access to lakes and rivers statewide through the provision of public boat access, fishing piers, and shoreline access, with approximately equal allocations for the Twin Cities metropolitan area and the remainder of the state. These appropriations are available until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program. \$212,000 of the appropriation from the future resources fund is available immediately upon enactment.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

(g) Arboretum Land Acquisition and Wetlands Restoration - Continuation

\$350,000 the first year and \$350,000 the second year are from the trust fund to the University of Minnesota for an agreement with the University of Minnesota Landscape Arboretum Foundation for the third biennium for land acquisition. The priority is to acquire approximately 40 acres of land within the Arboretum boundary before completing the Spring Peeper Meadow wetland restoration. This appropriation must be matched by at least \$700,000 of nonstate money.

(h) Native Prairie Prescribed Burns

\$225,000 the first year and \$225,000 the second year are from the trust fund for a grant to the Nature Conservancy for prescribed burns of native prairie on state wildlife lands.

(i) RIM Shoreland Stabilization

\$175,000 the first year and \$175,000 the second year are from the trust fund to the commissioner of natural resources to complete the high priority bank stabilization on Lake Winnibigoshish and, if additional match money becomes available, to begin similar work on Lac Qui Parle Lake. This appropriation must be matched by at least \$56,000 of nonstate money, and is available until June 30, 2002, when the project must be completed and final products delivered, unless an earlier date is specified in the work program.

(j) Enhancing Canada Goose Hunting Opportunities for Recreation and Management Purposes

\$340,000 is from the future resources fund to the commissioner of natural resources for an agreement with Geese Unlimited to purchase leases and provide observational and hunting blinds for the public using volunteer labor.

(k) Nongame Wildlife Management

\$1,000,000 the first year and \$1,000,000 the second year are appropriated from the trust fund to the commissioner of natural resources for the purpose of nongame wildlife management.

(l) Wildlife Habitat Acquisition

\$250,000 the first year and \$250,000 the second year are from the trust fund to the commissioner of natural resources to acquire and protect land and to make improvements of a capital nature for the Chub lake natural area. The appropriation is available until expended and must be matched by federal or local funds totaling \$500,000.

APPROPRIATIONS  
 Available for the Year  
 Ending June 30  
 2000                      2001

## (m) Trout Stream Protection

\$2,100,000 is from the trust fund to the commissioner of natural resources for trout stream protection.

## Subd. 13. Native Species Planting

	905,000	635,000
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## Summary by Fund

Future Resources Fund	270,000	-0-
Trust Fund	635,000	635,000

## (a) Minnesota Releaf Matching Grant Program - Continuation

\$290,000 the first year and \$290,000 the second year of this appropriation are from the trust fund, and \$270,000 is from the future resources fund to the commissioner of natural resources for the fourth biennium, with at least \$210,000 for matching grants to local communities to protect native oak forests from oak wilt and to provide technical assistance and cost sharing with communities for tree planting and community forestry assessments. The appropriation from the future resources fund is available immediately upon enactment.

## (b) Landscaping for Wildlife and Nonpoint Source Pollution Prevention

\$75,000 the first year and \$75,000 the second year are from the trust fund to the commissioner of natural resources for an agreement with St. Paul Neighborhood Energy Consortium to work with urban and suburban communities to expand native species planting through residential landscaping and cooperative neighborhood projects. The activities must include participant cost sharing. This appropriation must be matched by at least \$24,000 of nonstate money.

## (c) Lakescaping for Wildlife and Water Quality Initiative

\$70,000 the first year and \$70,000 the second year are from the trust fund to the commissioner of natural resources in cooperation with the Minnesota Lakes Association to promote lakescaping for wildlife and water quality through workshops, demonstration sites, and a registry program for lakeshore owners. The activities must include participant cost sharing.

## (d) Development and Assessment of Oak Wilt Biological Control Technologies - Continuation

\$100,000 the first year and \$100,000 the second year are from the trust fund to the University of Minnesota to evaluate biocontrol efficacy, spore mat production, and root graft barrier guidelines for oak wilt, in cooperation with the department of agriculture.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

until June 30, 2002, at which time the project must be completed and final products delivered, unless an earlier date is specified in the work program.

Subd. 16. Data Availability Requirements

(a) During the biennium ending June 30, 2001, the data collected by the projects funded under this section that have common value for natural resource planning and management must conform to information architecture as defined in guidelines and standards adopted by the office of technology. Spatial data must conform with guidelines and standards described in the geographic data compatibility guidelines available from the land management information center. These data must be made available under the provisions of the Data Practices Act in chapter 13.

(b) For the purposes of information dissemination to the extent practicable, summary data and results of projects funded under this section should be readily accessible on the Internet. To the extent practicable, spatial data and their documentation must be made available through the Minnesota Geographic Data Clearinghouse.

(c) As part of project expenditures, recipients of land acquisition appropriations must provide the information necessary to update public recreation information maps to the department of natural resources in the specified form.

Subd. 17. Project Requirements

It is a condition of acceptance of the appropriations in this section that any agency or entity receiving the appropriation must comply with Minnesota Statutes, chapter 116P.

Subd. 18. Match Requirements

Unless specifically authorized, appropriations in this section that must be matched and for which the match has not been committed by December 31, 1999, are canceled, and in-kind contributions may not be counted as match.

Subd. 19. Payment Conditions and Capital Equipment Expenditures

All agreements, grants, or contracts referred to in this section must be administered on a reimbursement basis. Notwithstanding Minnesota Statutes, section 16A.41, expenditures made on or after July 1, 1999, or the date the work program is approved, whichever is later, are eligible for reimbursement. Payment must be made upon receiving documentation that project-eligible reimbursable amounts have been expended, except that reasonable amounts may be advanced to projects in order to accommodate cash flow needs. The advances must be approved as part of the work program. No expenditures for capital equipment are allowed unless expressly authorized in the project work program.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

Subd. 20. Purchase of Recycled and Recyclable Materials

A political subdivision, public or private corporation, or other entity that receives an appropriation in this section must use the appropriation in compliance with Minnesota Statutes, sections 16B.121 to 16B.123, requiring the purchase of recycled, repairable, and durable materials, the purchase of uncoated paper stock, and the use of soy-based ink, the same as if it were a state agency.

Subd. 21. Energy Conservation

A recipient to whom an appropriation is made in this section for a capital improvement project shall ensure that the project complies with the applicable energy conservation standards contained in law, including Minnesota Statutes, sections 216C.19 to 216C.21, and rules adopted thereunder. The recipient may use the energy planning and intervention and energy technologies units of the commissioner of public service to obtain information and technical assistance on energy conservation and alternative energy development relating to the planning and construction of the capital improvement project.

Subd. 22. Accessibility

New structures must be shown to meet the design standards in the Americans with Disability Act Accessibility Guidelines. Nonstructural facilities such as trails, campgrounds, picnic areas, parking, play areas, water sources, and the access routes to these features should be shown to be designed using guidelines in the Recommendations for Accessibility Guidelines: Recreational Facilities and Outdoor Developed Areas.

Subd. 23. Year 2000 Compatible

A recipient to whom an appropriation is made in this section for computer equipment and software must ensure that the project expenditures comply with year 2000 compatible database and software.

Subd. 24. Carryforward

(a) The availability of the appropriations for the following projects is extended to June 30, 2000: Laws 1997, chapter 216, section 15, subdivision 5, paragraph (a), Ft. Snelling State Park-upper bluff utilization and AYH hostel; paragraph (c), Jeffers petroglyphs environmental assessment and prairie restoration; paragraph (g), Native American perspective of the historic north shore; subdivision 6, paragraph (g), lakeshore restoration - Minneapolis chain of lakes; subdivision 9, paragraph (a), grants to local governments to assist natural resource decision making; paragraph (e), North Minneapolis upper river master plan; paragraph (g), Miller Creek management; and paragraph (h), trout habitat preservation using alternative watershed management

APPROPRIATIONS  
 Available for the Year  
 Ending June 30  
 2000                      2001

practices; subdivision 10, paragraph (g), Fillmore county soil survey update; subdivision 11, paragraph (a), foundations to integrated access to environmental information; subdivision 12, paragraph (a), sustainable development assistance for municipalities through electric utilities; paragraph (h), soy-based diesel fuel study; subdivision 13, paragraph (g), state wolf management: electronically moderating the discussion; subdivision 14, paragraph (f), loons: indicators of mercury in the environment; subdivision 17, paragraph (a), sustainable woodlands on private lands; and paragraph (d), prairie heritage project; subdivision 20, paragraph (a), ballast water technology demonstration for exotic species control; Laws 1995, chapter 220, section 19, subdivision 12, paragraph (a), restore historic Mississippi river mill site, as amended by Laws 1997, chapter 216, section 15, subdivision 26, paragraph (b).

(b) The availability of the appropriations for the following projects is extended to June 30, 2001: Laws 1997, chapter 216, section 15, subdivision 5, paragraph (f), historical and cultural museum on Vermilion Lake Indian Reservation; subdivision 7, paragraph (f), mercury manometers; subdivision 16, paragraph (b), Arboretum Land Acquisition.

Sec. 14. ADDITIONAL APPROPRIATIONS

The following amounts are appropriated in fiscal year 1999 from the Minnesota environment and natural resources trust fund referred to in Minnesota Statutes, section 116P.02, subdivision 6.

\$496,000 in fiscal year 1999 is added to the appropriation in Laws 1997, chapter 216, section 15, subdivision 4, paragraph (a), clause (1), for state park and recreation area acquisition.

\$495,000 in fiscal year 1999 is added to the appropriation in Laws 1997, chapter 216, section 15, subdivision 4, paragraph (b), metropolitan regional park system.

Sec. 15. Minnesota Statutes 1998, section 14.386, is amended to read:

14.386 [PROCEDURE FOR ADOPTING EXEMPT RULES; DURATION.]

(a) A rule adopted, amended, or repealed by an agency, under a statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but excluded from the rulemaking provisions of chapter 14 or from the definition of a rule, has the force and effect of law only if:

- (1) the revisor of statutes approves the form of the rule by certificate;
- (2) the office of administrative hearings approves the rule as to its legality within 14 days after the agency submits it for approval and files two copies of the rule with the revisor's certificate in the office of the secretary of state; and
- (3) a copy is published by the agency in the State Register.

A statute enacted after January 1, 1997, authorizing or requiring rules to be adopted but excluded from the rulemaking provisions of chapter 14 or from the definition of a rule does not excuse compliance with this section unless it makes specific reference to this section.

(b) A rule adopted under this section is effective for a period of two years from the date of publication of the rule in the State Register. The authority for the rule expires at the end of this two-year period.

(c) The chief administrative law judge shall adopt rules relating to the rule approval duties imposed by this section and section 14.388, including rules establishing standards for review.

(d) This section does not apply to:

- (1) any group or rule listed in section 14.03, subdivisions 1 and 3, except as otherwise provided by law;
- (2) game and fish rules of the commissioner of natural resources adopted under section 84.027, subdivision 13, or sections 97A.0451 to 97A.0459;
- (3) experimental and special management waters designated by the commissioner of natural resources under sections 97C.001 and 97C.005; ~~or~~
- (4) game refuges designated by the commissioner of natural resources under section 97A.085; or

(5) transaction fees established by the commissioner of natural resources for electronic or telephone sales of licenses, stamps, permits, registrations, or transfers under section 84.027, subdivision 15, paragraph (a), clause (3).

(e) If a statute provides that a rule is exempt from chapter 14, and section 14.386 does not apply to the rule, the rule has the force of law unless the context of the statute delegating the rulemaking authority makes clear that the rule does not have force of law.

Sec. 16. Minnesota Statutes 1998, section 84.027, subdivision 15, is amended to read:

Subd. 15. [ELECTRONIC TRANSACTIONS.] (a) The commissioner may receive an application for, sell, and issue any license, stamp, permit, registration, or transfer under the jurisdiction of the commissioner by electronic means, including by telephone. Notwithstanding section 97A.472, electronic and telephone transactions may be made outside of the state. The commissioner may:

- (1) provide for the electronic transfer of funds generated by electronic transactions, including by telephone;
- (2) assign a license identification number to an applicant who purchases a hunting or fishing license by electronic means, to serve as temporary authorization to engage in the licensed activity until the license is received or expires;
- (3) charge and permit agents to charge a fee of individuals who make electronic transactions; and transactions by telephone, including ~~a transaction~~ the issuing fee under section 97A.485, subdivision 6, and ~~a credit card an additional transaction~~ fee not to exceed \$3.50 for electronic transactions;
- (4) select up to four volunteer counties, not more than two in the metropolitan area, to participate in this pilot project and the counties shall select the participating agents; ~~and~~
- (5) upon completion of a pilot project, implement a statewide system and select the participating agents; and
- (6) adopt rules to administer the provisions of this subdivision.

(b) A county shall not collect a commission for the sale of licenses or permits made by agents selected by the participating counties under this subdivision.

(c) Establishment of the transaction fee under paragraph (a), clause (3), is not subject to the rulemaking procedures of chapter 14.

Sec. 17. Minnesota Statutes 1998, section 84.0855, is amended by adding a subdivision to read:

Subd. 1a. [SOFTWARE SALES.] Notwithstanding section 16B.405, the commissioner may sell or license intellectual property and software products or services developed by the department or custom developed by a vendor for the department.

Sec. 18. Minnesota Statutes 1998, section 84.0855, subdivision 2, is amended to read:

Subd. 2. [RECEIPTS; APPROPRIATION.] Money received by the commissioner under this section or to buy supplies for the use of volunteers, may be credited to one or more special accounts in the state treasury and is appropriated to the commissioner for the purposes for which the money was received. Money received from sales at the state fair shall be available for state fair related costs. Money received from sales of intellectual property and software products or services shall be available for development, maintenance, and support of software products and systems.

Sec. 19. Minnesota Statutes 1998, section 84.83, subdivision 3, is amended to read:

Subd. 3. [PURPOSES FOR THE ACCOUNT.] The money deposited in the account and interest earned on that money may be expended only as appropriated by law for the following purposes:

(1) for a grant-in-aid program to counties and municipalities for construction and maintenance of snowmobile trails, including maintenance of trails on lands and waters of Voyageurs National Park;

(2) for acquisition, development, and maintenance of state recreational snowmobile trails;

(3) for snowmobile safety programs; and

(4) for the administration and enforcement of sections 84.81 to 84.90.

Sec. 20. Minnesota Statutes 1998, section 84.83, subdivision 4, is amended to read:

Subd. 4. [PROVISIONS APPLICABLE TO FUNDING RECIPIENTS.] (a) Recipients of Minnesota trail assistance program funds must be afforded the same protection and be held to the same standard of liability as a political subdivision under chapter 466 for activities associated with the administration, design, construction, maintenance, and grooming of snowmobile trails.

(b) Recipients of Minnesota trail assistance program funds who maintain ice trails on waters of Voyageurs National Park are expressly immune from liability under section 466.03, subdivision 6e.

Sec. 21. Minnesota Statutes 1998, section 84.86, subdivision 1, is amended to read:

Subdivision 1. With a view of achieving maximum use of snowmobiles consistent with protection of the environment the commissioner of natural resources shall adopt rules in the manner provided by chapter 14, for the following purposes:

(1) Registration of snowmobiles and display of registration numbers.

(2) Use of snowmobiles insofar as game and fish resources are affected.

(3) Use of snowmobiles on public lands and waters, or on grant-in-aid trails, including, but not limited to, the use of specified metal traction devices and nonmetal traction devices.

(4) Uniform signs to be used by the state, counties, and cities, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles.

(5) Specifications relating to snowmobile mufflers.

(6) A comprehensive snowmobile information and safety education and training program, including but not limited to the preparation and dissemination of snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course. For the purpose of administering such program and to defray a portion of the expenses of training and certifying snowmobile operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the youth and young adult training and a fee established under chapter 16A from each person who receives or the adult training. The commissioner shall establish a fee that neither significantly over recovers nor under recovers costs, including overhead costs, involved in providing the services. The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The commissioner shall deposit the fee in the snowmobile trails and enforcement account and the amount thereof is appropriated annually to the commissioner of natural resources for the administration of such programs. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this clause. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of snowmobile operators.

(7) The operator of any snowmobile involved in an accident resulting in injury requiring medical attention or hospitalization to or death of any person or total damage to an extent of \$500 or more, shall forward a written report of the accident to the commissioner on such form as the commissioner shall prescribe. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days.

Sec. 22. Minnesota Statutes 1998, section 84.862, subdivision 1, is amended to read:

Subdivision 1. [YOUTH AND YOUNG ADULT SAFETY TRAINING.] Effective October 1, 1998, any resident born after December 31, 1979, who operates a snowmobile in Minnesota, must possess a valid snowmobile safety certificate or a driver's license or identification card with a valid snowmobile qualification indicator issued under section 171.07, subdivision 12. The certificate or qualification indicator may only be issued upon successful completion of ~~the~~ a course authorized under section 84.86 or 84.862, subdivision 2, if the person is 16 years of age or older.

Sec. 23. Minnesota Statutes 1998, section 84.862, subdivision 2, is amended to read:

Subd. 2. [ADULT SAFETY TRAINING.] Effective October 1, 2002, any resident born after December 31, 1976, and before December 31, 1983, who operates a snowmobile in Minnesota, must possess a valid operator's permit or driver's license or identification card with a valid snowmobile qualification indicator issued under section 171.07, subdivision 12, showing successful completion of a safety course designed for adults or persons 16 years of age or older. Whenever possible, the course shall include a riding component that stresses stopping distances.

Sec. 24. Minnesota Statutes 1998, section 84.872, subdivision 1, is amended to read:

Subdivision 1. [RESTRICTIONS ON OPERATION.] (a) Notwithstanding anything in section 84.87 to the contrary, no person under 14 years of age shall make a direct crossing of a trunk, county state-aid, or county highway as the operator of a snowmobile, or operate a snowmobile upon a street or highway within a municipality.

A person 14 years of age or older, but less than 18 years of age, may make a direct crossing of a trunk, county state-aid, or county highway only if the person has in immediate possession a valid snowmobile safety certificate issued by the commissioner or a valid motor vehicle operator's driver's license issued by the commissioner of public safety or the driver's license authority of another state or identification card with a valid snowmobile qualification indicator issued under section 171.07, subdivision 12.

(b) Notwithstanding section 84.862, no person under the age of 14 years shall operate a snowmobile on any public land, public easements, or water or grant-in-aid trail unless accompanied by one of the following listed persons on the same or an accompanying snowmobile, or on a device towed by the same or an accompanying snowmobile: the person's parent, legal guardian, or other person 18 years of age or older designated by the parent or guardian. However, a person 12 years of age or older but under the age of 14 years may operate a snowmobile on public lands, public easements, and waters or a grant-in-aid trail if the person has in immediate possession a valid snowmobile safety certificate issued by the commissioner or an identification card with a valid snowmobile qualification indicator issued under section 171.07, subdivision 12.

Sec. 25. Minnesota Statutes 1998, section 84.91, subdivision 1, is amended to read:

Subdivision 1. [ACTS PROHIBITED.] (a) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall authorize or permit any individual the person knows or has reason to believe is under the influence of alcohol or a controlled substance or other substance to operate the snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(b) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall knowingly authorize or permit any person, who by reason of any physical or mental disability is incapable of operating the vehicle, to operate the snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(c) A person who operates or is in physical control of a snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state is subject to sections 169.121 to 169.128 and 169.123 to 169.129. In addition to the applicable sanctions under chapter 169, a person who is convicted of violating section 169.121 while operating a snowmobile or all-terrain vehicle, or who refuses to comply with a lawful request to submit to testing under section 169.123, shall be prohibited from operating the snowmobile or all-terrain vehicle for a period of one year. The commissioner shall notify the convicted person of the time period during which the person is prohibited from operating a snowmobile or all-terrain vehicle.

(d) Administrative and judicial review of the operating privileges prohibition is governed by section 97B.066, subdivisions 7 to 9, if the person does not have a prior impaired driving conviction or prior license revocation, as defined in section 169.121, subdivision 3. Otherwise, administrative and judicial review of the prohibition is governed by section 169.123.

(e) The court shall promptly forward to the commissioner and the department of public safety copies of all convictions and criminal and civil sanctions imposed under this section and chapter 169 relating to snowmobiles and all-terrain vehicles.

(f) A person who violates paragraph (a) or (b), or an ordinance in conformity with either of them, is guilty of a misdemeanor. A person who operates a snowmobile or all-terrain vehicle during the time period the person is prohibited from operating a vehicle under paragraph (c) is guilty of a misdemeanor.

Sec. 26. Minnesota Statutes 1998, section 84.98, subdivision 6, is amended to read:

Subd. 6. [FEES.] The commissioner may charge a fee for any service performed by the Minnesota conservation corps. Fees generated shall be deposited in a special revenue fund and appropriated to the commissioner for Minnesota conservation corps projects and administration.

Sec. 27. [ADDING LAND TO BLUE MOUNDS STATE PARK.]

[85.012] [Subd. 8.] The following area is added to Blue Mounds state park: That part of the Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 13, Township 103 North, Range 45 West, Rock County, described as follows: Commencing at the southwest corner of said Northeast Quarter of the Southwest Quarter; thence on an assumed bearing of South 89 degrees 36 minutes 41 seconds East along the

south line of said Northeast Quarter of the Southwest Quarter 165.00 feet to the point of beginning; thence North 00 degrees 17 minutes 27 seconds West parallel with the west line of said section 1438.74 feet to an iron stake with DNR caps; thence South 88 degrees 57 minutes 33 seconds East along an existing fence line 42.15 feet; thence South 00 degrees 30 minutes 38 seconds West along an existing fence line 1438.16 feet to the south line of said Northeast Quarter of the Southwest Quarter; thence North 89 degrees 36 minutes 41 seconds West along said south line 22.02 feet to the point of beginning.

Sec. 28. [ADDITIONS TO IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA, ST. LOUIS COUNTY.]

Subdivision 1. [85.013] [Subd. 12a.] [IRON RANGE OFF-HIGHWAY VEHICLE RECREATION AREA, ST. LOUIS COUNTY.] The following areas are added to the Iron Range off-highway vehicle recreation area, all in St. Louis county:

(1) Section 2, Township 58 North, Range 17 West, EXCEPT: the East Half; the North Half of the Northwest Quarter; and the Southeast Quarter of the Northwest Quarter;

(2) Section 3, Township 58 North, Range 17 West, EXCEPT: the Southeast Quarter; the North Half of the Northeast Quarter; the North Half of the Northwest Quarter; Southwest Quarter of the Northwest Quarter; and the Northwest Quarter of the Southwest Quarter;

(3) Section 4, Township 58 North, Range 17 West, EXCEPT: the West Half; the Northeast Quarter; the North Half of the Southeast Quarter; and the Southwest Quarter of the Southeast Quarter;

(4) Section 8, Township 58 North, Range 17 West, EXCEPT: the West Half; the West Half of the Southeast Quarter; and the West Half of the Northeast Quarter;

(5) Section 9, Township 58 North, Range 17 West;

(6) Section 11, Township 58 North, Range 17 West, EXCEPT: the West Half of the Northwest Quarter; and the Northwest Quarter of the Southwest Quarter;

(7) Section 14, Township 58 North, Range 17 West, EXCEPT: the East Half;

(8) Section 15, Township 58 North, Range 17 West, lying North of the DM&IR grade, EXCEPT: the Southwest Quarter; and the South Half of the Northwest Quarter;

(9) Section 16, Township 58 North, Range 17 West, lying North of county road 921, EXCEPT: the East Half of the Southeast Quarter, lying North of the DM&IR grade;

(10) Section 22, Township 58 North, Range 17 West, lying North of the DM&IR grade; and

(11) Section 23, Township 58 North, Range 17 West, a 100 foot corridor of the Mesabi Trail as located between the West line of said Section 23 and Minnesota trunk highway No. 135.

Subd. 2. [ADVISORY COMMITTEE; ADDING MEMBERS.] The advisory committee created under Laws 1996, chapter 407, section 32, subdivision 4, shall continue to provide direction on the planning, development, and operation of the Iron Range off-highway vehicle recreation area, including the land added under subdivision 1. The following members are added to the advisory committee:

(1) a representative of the city council of Gilbert; and

(2) a representative of the city council of Virginia.

Subd. 3. [MINING.] The commissioner shall recognize the possibility that mining may be conducted in the future within the Iron Range off-highway vehicle area and that use of portions of the surface estate and control of the flowage of water may be necessary for future mining operations.

Subd. 4. [MANAGEMENT PLAN.] The commissioner of natural resources and the local area advisory committee shall cooperatively develop a separate comprehensive management plan for the land added to the Iron Range off-highway vehicle recreation area under subdivision 1. The management plan shall provide for:

(1) multiple use recreation for off-highway vehicles;

(2) protection of natural resources;

(3) limited timber management;

(4) mineral exploration and mining management;

(5) land acquisition needs;

(6) road and facility development; and

(7) trail and road connections between the land added under subdivision 1 and the land added by Laws 1996, chapter 407, section 32, subdivision 6.

The completed management plan, together with the management plan completed under Laws 1996, chapter 407, section 32, subdivision 5, shall serve as the master plan for the Iron Range off-highway vehicle recreation area under Minnesota Statutes, section 86A.09.

Subd. 5. [APPLICABILITY OF OTHER LAW.] Except as otherwise provided by subdivisions 2 and 4, the provisions of Laws 1996, chapter 407, section 32, apply to the land added to the Iron Range off-highway vehicle recreation area under subdivision 1.

Sec. 29. Minnesota Statutes 1998, section 85.015, is amended by adding a subdivision to read:

Subd. 21. [GITCHI-GAMI TRAIL, LAKE AND COOK COUNTIES.] (a) The trail shall originate in the city of Two Harbors and shall extend in a northeasterly direction along the shore of Lake Superior, running parallel to state highway 61 to the city of Grand Marais.

(b) The trail shall be developed primarily for hiking and bicycling.

Sec. 30. Minnesota Statutes 1998, section 85.019, subdivision 2, is amended to read:

Subd. 2. [PARKS AND OUTDOOR RECREATION AREAS.] The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs or \$50,000, whichever is less, of acquisition and betterment of public land and improvements needed for parks and other outdoor recreation areas and facilities.

Sec. 31. Minnesota Statutes 1998, section 85.019, is amended by adding a subdivision to read:

Subd. 4b. [REGIONAL TRAILS.] The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs of acquisition and betterment of public land and improvements needed for trails deemed to be of regional significance according to criteria published by the commissioner. If land used for the trails is not in full public ownership, then the recipients must prove it is dedicated to the purposes of the grants for at least 20 years.

Sec. 32. Minnesota Statutes 1998, section 85.019, is amended by adding a subdivision to read:

Subd. 4c. [LOCAL TRAIL CONNECTIONS.] The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs of acquisition and betterment of public land and improvements needed for trails that connect communities, trails, and parks and thereby increase the effective length of trail experiences. If land used for the trails is not in full public ownership, then the recipients must prove it is dedicated to the purposes of the grants for at least 20 years.

Sec. 33. Minnesota Statutes 1998, section 86B.415, subdivision 1, is amended to read:

Subdivision 1. [WATERCRAFT 19 FEET OR LESS.] The fee for a watercraft license for watercraft 19 feet or less in length is \$12 except:

(1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered for rent or lease, the fee is \$6;

(2) for a canoe, kayak, sailboat, sailboard, paddle boat, or rowing shell 19 feet in length or less, the fee is \$7;

(3) for personal watercraft, the fee is \$25;

~~(4)~~ (4) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching boat and water safety, the fee is as provided in subdivision 4; and

~~(5)~~ (5) for a watercraft owned by a dealer under a dealer's license, the fee is as provided in subdivision 5.

Sec. 34. Minnesota Statutes 1998, section 88.067, is amended to read:

88.067 [~~TRAINING OF~~ GRANTS TO LOCAL FIRE DEPARTMENTS.]

The commissioner may make grants for procurement of fire suppression equipment and training of fire departments in techniques of fire control that. These grants will enable them local fire departments to assist the state more effectively in controlling wildfires. The commissioner may require a local match for any grant. Fire suppression equipment may include, but is not limited to, fire suppression tools and equipment, protective clothing, dry hydrants, communications equipment, and conversion of vehicles to wildfire suppression vehicles. Training shall be provided to the extent practicable in coordination with other public agencies with training and educational responsibilities.

Sec. 35. Minnesota Statutes 1998, section 92.46, subdivision 1, is amended to read:

Subdivision 1. [PUBLIC CAMPGROUNDS.] (a) The director may designate suitable portions of the state lands withdrawn from sale and not reserved, as provided in section 92.45, as permanent state public campgrounds. The director may have the land surveyed and platted into lots of convenient size, and lease them for cottage and camp purposes under terms and conditions the director prescribes, subject to the provisions of this section.

(b) A lease may not be for a term more than 20 years. The lease may allow renewal, from time to time, for additional terms of no longer than 20 years each. The lease may be canceled by the commissioner 90 days after giving the person leasing the land written notice of violation of lease conditions. The lease rate shall be based on the appraised value of leased land as determined by the commissioner of natural resources and shall be adjusted by the commissioner at the fifth, tenth, and 15th anniversary of the lease, if the appraised value has increased or decreased. For leases that are renewed in 1991 and following years, the lease rate shall be five percent of the appraised value of the leased land. The appraised value shall be the value of the leased land without any private improvements and must be comparable to similar land without any improvements within the same county. The minimum appraised value that the commissioner assigns to the leased land must be substantially equal to the county assessor's estimated market value of similar land adjusted by the assessment/sales ratio as determined by the department of revenue.

(c) By July 1, 1986, the commissioner of natural resources shall adopt rules under chapter 14 to establish procedures for leasing land under this section. The rules shall be subject to review and approval by the commissioners of revenue and administration prior to the initial publication pursuant to chapter 14 and prior to their final adoption. The rules must address at least the following:

(1) method of appraising the property; and

(2) an appeal procedure for both the appraised values and lease rates.

(d) All money received from these leases must be credited to the fund to which the proceeds of the land belong.

Notwithstanding section 16A.125 or any other law to the contrary, ~~50 beginning in fiscal year 1999, 100~~ percent of the money received from the lease of permanent school fund lands leased pursuant to this subdivision must be credited to the lakeshore leasing and sales account in the permanent school fund and is appropriated for use to survey, appraise, and pay associated selling ~~and~~, leasing, ~~or exchange~~ costs of lots as required in this section and Minnesota Statutes 1992, section 92.67, subdivision 3. ~~The money may not be used to pay the cost of surveying lots not scheduled for sale.~~ Any money designated for deposit in the permanent school fund that is not needed to survey, appraise, and pay associated selling ~~and~~, leasing, ~~or exchange~~ costs of lots, as required in this section, shall be deposited in the permanent school fund. The commissioner shall add to the appraised value of any lot offered for sale ~~or exchange~~ the costs of surveying, appraising, and ~~selling disposing of~~ the lot, and shall first deposit into the permanent school fund an amount equal to the costs of surveying, appraising, and ~~selling disposing of~~ any lot paid out of the permanent school fund. Any remaining money shall be deposited into any other contributing funds in proportion to the contribution from each fund. In no case may the commissioner add to the appraised value of any lot offered for sale ~~or exchange~~ an amount more than \$700 for the ~~the actual contract service~~ costs of surveying ~~and~~, appraising, ~~and disposing of~~ the lot.

Sec. 36. Minnesota Statutes 1998, section 97A.075, subdivision 1, is amended to read:

Subdivision 1. [DEER AND BEAR LICENSES.] (a) For purposes of this subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (4), (5), and (9), and 3, clauses (2), (3), and (7), and licenses issued under section 97B.301, subdivision 4.

(b) At least \$2 from each deer license shall be used for deer habitat improvement or deer management programs.

(c) At least \$1 from each deer license and each bear license shall be used for deer and bear management programs, including a computerized licensing system. Fifty cents from each deer license is appropriated for emergency deer feeding. Money appropriated for emergency deer feeding is available until expended. When the unencumbered balance in the appropriation for emergency deer feeding at the end of a fiscal year exceeds ~~\$750,000~~ \$1,500,000, \$750,000 is canceled to the unappropriated balance of the game and fish fund ~~and the amount appropriated for emergency deer feeding is reduced to 25 cents from each deer license.~~

Sec. 37. Minnesota Statutes 1998, section 97A.475, subdivision 2, is amended to read:

Subd. 2. [RESIDENT HUNTING.] Fees for the following licenses, to be issued to residents only, are:

(1) for persons under age 65 to take small game, ~~\$10~~ \$13;

(2) for persons age 65 or over, ~~\$5~~ \$8;

(3) to take turkey, ~~\$16~~ \$18;

(4) to take deer with firearms, ~~\$22~~ \$25;

(5) to take deer by archery, ~~\$22~~ \$25;

- (6) to take moose, for a party of not more than six persons, ~~\$275~~ \$310;
- (7) to take bear, ~~\$33~~ \$38;
- (8) to take elk, for a party of not more than two persons, ~~\$220~~ \$250;
- (9) to take antlered deer in more than one zone, ~~\$44~~ \$50; and
- (10) to take Canada geese during a special season, ~~\$3~~ \$4.

Sec. 38. Minnesota Statutes 1998, section 97A.475, subdivision 3, is amended to read:

Subd. 3. [NONRESIDENT HUNTING.] Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take small game, ~~\$56~~ \$73;
- (2) to take deer with firearms, ~~\$110~~ \$125;
- (3) to take deer by archery, ~~\$110~~ \$125;
- (4) to take bear, ~~\$165~~ \$195;
- (5) to take turkey, ~~\$56~~ \$73;
- (6) to take raccoon, bobcat, fox, coyote, or lynx, ~~\$137.50~~ \$155;
- (7) to take antlered deer in more than one zone, ~~\$220~~ \$250; and
- (8) to take Canada geese during a special season, ~~\$3~~ \$4.

Sec. 39. Minnesota Statutes 1998, section 97A.475, subdivision 6, is amended to read:

Subd. 6. [RESIDENT FISHING.] Fees for the following licenses, to be issued to residents only, are:

- (1) to take fish by angling, for persons under age 65, ~~\$15~~ \$16;
- (2) to take fish by angling, for persons age 65 and over, ~~\$5.50~~ \$8.50;
- (3) to take fish by angling, for a combined license for a married couple, ~~\$20.50~~ \$22;
- (4) to take fish by spearing from a dark house, ~~\$15~~ \$15.50; and
- (5) to take fish by angling for a 24-hour period selected by the licensee, ~~\$8~~ \$8.25.

Sec. 40. Minnesota Statutes 1998, section 97A.475, subdivision 7, is amended to read:

Subd. 7. [NONRESIDENT FISHING.] Fees for the following licenses, to be issued to nonresidents, are:

- (1) to take fish by angling, ~~\$31~~ \$37;
- (2) to take fish by angling limited to seven consecutive days selected by the licensee, ~~\$21.50~~ \$26;
- (3) to take fish by angling for a 72-hour period selected by the licensee, ~~\$18~~ \$21;

(4) to take fish by angling for a combined license for a family, ~~\$41.50~~ \$53;

(5) to take fish by angling for a 24-hour period selected by the licensee, ~~\$8~~ \$8.50; and

(6) to take fish by angling for a combined license for a married couple, limited to 14 consecutive days selected by one of the licensees, ~~\$32~~ \$37.

Sec. 41. Minnesota Statutes 1998, section 97A.475, subdivision 8, is amended to read:

Subd. 8. [MINNESOTA SPORTING.] The commissioner shall issue Minnesota sporting licenses to residents only. The licensee may take fish by angling and small game. The fee for the license is:

(1) for an individual, ~~\$20~~ \$24; and

(2) for a combined license for a married couple to take fish and for one spouse to take small game, ~~\$27.50~~ \$32.

Sec. 42. Minnesota Statutes 1998, section 97A.475, subdivision 11, is amended to read:

Subd. 11. [FISH HOUSES AND DARK HOUSES; RESIDENTS.] Fees for the following licenses are:

(1) for a fish house or dark house that is not rented, ~~\$10~~ \$11.50; and

(2) for a fish house or dark house that is rented, ~~\$23~~ \$26.

Sec. 43. Minnesota Statutes 1998, section 97A.475, subdivision 12, is amended to read:

Subd. 12. [FISH HOUSES; NONRESIDENT.] Fees for fish house licenses for a nonresident are:

(1) annual, ~~\$31.50~~ \$33; and

(2) seven consecutive days, ~~\$18.50~~ \$19.

Sec. 44. Minnesota Statutes 1998, section 97A.475, subdivision 13, is amended to read:

Subd. 13. [NETTING WHITEFISH AND CISCOES FOR PERSONAL CONSUMPTION.] The fee for a license to net whitefish and ciscoes in inland lakes and international waters for personal consumption is, for each net, ~~\$9~~ \$10.

Sec. 45. Minnesota Statutes 1998, section 97A.475, subdivision 20, is amended to read:

Subd. 20. [TRAPPING LICENSE.] The fee for a license to trap fur-bearing animals is:

(1) for persons over age 13 and under age 18, ~~\$5.50~~ \$6; and

(2) for persons age 18 and older, ~~\$18~~ \$20.

Sec. 46. Minnesota Statutes 1998, section 97A.485, subdivision 12, is amended to read:

Subd. 12. [YOUTH DEER LICENSE.] The commissioner may, for a fee of ~~\$5~~ \$5.50, issue to a resident under the age of 16 a license, without a tag, to take deer with firearms. A youth holding a license issued under this subdivision may hunt under the license only if accompanied by a licensed hunter who is at least 18 years of age and possesses a valid tag. A deer taken by a youth holding a license issued under this subdivision must be promptly tagged by the licensed hunter accompanying the youth. Section 97B.301, subdivision 6, does not apply to a youth holding a license issued under this subdivision.

Sec. 47. Minnesota Statutes 1998, section 97B.020, is amended to read:

97B.020 [FIREARMS SAFETY CERTIFICATE REQUIRED.]

Except as provided in this section, a person born after December 31, 1979, may not obtain a license to take wild animals by firearms. ~~A person may obtain a hunting license if~~ unless the person has a firearms safety certificate or equivalent certificate, driver's license or identification card with a valid firearms safety qualification indicator issued under section 171.07, subdivision 13, previous hunting license, or other evidence indicating that the person has completed in this state or in another state a hunter safety course recognized by the department under a reciprocity agreement. A person who is on active duty and has successfully completed basic training in the United States armed forces, reserve component, or national guard may obtain a hunting license or approval authorizing hunting regardless of whether the person is issued a firearms safety certificate.

Sec. 48. Minnesota Statutes 1998, section 103B.227, subdivision 2, is amended to read:

Subd. 2. [NOTICE OF BOARD VACANCIES.] Appointing authorities for watershed management organization board members shall publish a notice of vacancies resulting from expiration of members' terms and other reasons. The notices must be published at least once in a newspaper of general circulation in the watershed management organization area. The notices must state that persons interested in being appointed to serve on the watershed management organization board may submit their names to the appointing authority for consideration. After December 31, 1999, staff of local units of government that are members of the watershed management organization are not eligible to be appointed to the board. Published notice of the vacancy must be given at least 15 days before an appointment or reappointment is made.

Sec. 49. Minnesota Statutes 1998, section 103C.401, is amended by adding a subdivision to read:

Subd. 3. [GENERAL SERVICES ALLOCATION.] Subject to an appropriation by law for this purpose, the board shall provide an annual allocation of general services funding for each organized district in the state. If county funding for a district is reduced from the previous fiscal year funding level, the allocation under this subdivision must be reduced by an equal amount.

Sec. 50. [103F.191] [BLUE EARTH RIVER BASIN INITIATIVE BOUNDARIES.]

For the purposes of sections 103F.191 to 103F.197, the term "Blue Earth river basin initiative" means the area within the watersheds of rivers and streams that are tributaries of the Minnesota river from the south through the city of Mankato. Major rivers included within the watershed are the LeSueur, Blue Earth, and Watonwan and their tributaries. All of Watonwan county and parts of Blue Earth, Brown, Cottonwood, Faribault, Freeborn, Jackson, LeSueur, Martin, Steele, and Waseca counties are included in the boundary area.

Sec. 51. [103F.192] [PROGRAM.]

There shall be a state grant-in-aid program of providing financial assistance to the Blue Earth river basin initiative for administrative costs associated with the implementation of conservation practices.

Sec. 52. [103F.193] [AID FORMULA.]

Grants may be made by the board of water and soil resources to a local governmental unit for the purposes of sections 103F.191 to 103F.197.

Sec. 53. [103F.194] [OPERATION WITHIN AN AGENCY.]

Subdivision 1. [BOARD OF WATER AND SOIL RESOURCES.] The board of water and soil resources shall supervise the grant-in-aid program pursuant to sections 103F.191 to 103F.197.

Subd. 2. [PROCEDURES AND FORMS.] The board shall devise procedures and forms for application for grants by the local units of government, and review of and decisions on the applications by the state board.

Sec. 54. [103F.195] [CONDITIONS FOR GRANTS.]

Subdivision 1. [LOCAL EXPRESSION OF WILLINGNESS.] The local unit of government shall apply for a grant by a resolution requesting state funding assistance for administrative costs associated with the implementation of conservation practices within its jurisdiction.

Subd. 2. [GENERAL PLAN.] The Blue Earth river basin initiative shall demonstrate that it has a general plan for water management. The general plan shall be in conformity with the policy and objectives of this chapter and shall, where reasonable and practicable, include nonstructural means of water management.

Sec. 55. [103F.196] [INTERSTATE COOPERATION.]

The board of water and soil resources and the Blue Earth river basin initiative may enter into a working agreement with Iowa in regard to implementing conservation practices pursuant to sections 103F.191 to 103F.197 that involve the territory of the state of Iowa as well as this state.

Sec. 56. [103F.197] [REPORT TO THE LEGISLATURE.]

When the project has been in operation for a period of two years, the board of water and soil resources and the Blue Earth river basin initiative shall prepare and deliver a report to the legislature on the program and its consequences with an evaluation of the feasibility and benefit of continuing the project.

Sec. 57. Minnesota Statutes 1998, section 115.55, subdivision 5a, is amended to read:

Subd. 5a. [INSPECTION CRITERIA FOR EXISTING SYSTEMS.] (a) An inspection of an existing system must evaluate the criteria in paragraphs (b) to ~~(h)~~ (j).

(b) If the inspector finds one or more of the following conditions:

(1) sewage discharge to surface water;

(2) sewage discharge to ground surface;

(3) sewage backup; or

(4) any other situation with the potential to immediately and adversely affect or threaten public health or safety,

then the system constitutes an imminent threat to public health or safety and, if not repaired, must be upgraded, replaced, or its use discontinued within ten months of receipt of the notice described in subdivision 5b, or within a shorter period of time if required by local ordinance.

(c) An existing system that has none of the conditions in paragraph (b), and has at least two feet of soil separation need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more restrictive.

(d) Paragraph (c) does not apply to systems in shoreland areas regulated under sections 103F.201 to 103F.221, wellhead protection areas as defined in section 103I.005, or those used in connection with food, beverage, and lodging establishments regulated under chapter 157.

(e) If the local unit of government with jurisdiction over the system has adopted an ordinance containing local standards pursuant to subdivision 7, the existing system must comply with the ordinance. If the system does not comply with the ordinance, it must be upgraded, replaced, or its use discontinued according to the ordinance.

(f) If a seepage pit, drywell, cesspool, or leaching pit exists and the local unit of government with jurisdiction over the system has not adopted local standards to the contrary, the system is failing and must be upgraded, replaced, or its use discontinued within the time required by subdivision 3 or local ordinance.

(g) If the system fails to provide sufficient groundwater protection, then the local unit of government or its agent shall order that the system be upgraded, replaced, or its use discontinued within the time required by rule or the local ordinance.

(h) The authority to find a threat to public health under section 145A.04, subdivision 8, is in addition to the authority to make a finding under paragraphs (b) to (d).

(i) Local inspectors must use the standard inspection form provided by the agency. The inspection information required by local ordinance may be included as an attachment to the standard form. The following language must appear on the standard form: "If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This does not apply to systems in shoreland areas, wellhead protection areas, or those used in connection with food, beverage, and lodging establishments as defined in law."

(j) For the purposes of this subdivision, an "existing system" means a functioning system installed prior to April 1, 1996.

Sec. 58. Minnesota Statutes 1998, section 115A.02, is amended to read:

115A.02 [LEGISLATIVE DECLARATION OF POLICY; PURPOSES.]

(a) It is the goal of this chapter to protect the state's land, air, water, and other natural resources and the public health by improving waste management in the state to serve the following purposes:

- (1) reduction in the amount and toxicity of waste generated;
- (2) separation and recovery of materials and energy from waste;
- (3) reduction in indiscriminate dependence on disposal of waste;
- (4) coordination of solid waste management among political subdivisions; and
- (5) orderly and deliberate development and financial security of waste facilities including disposal facilities.

(b) The waste management goal of the state is to foster an integrated waste management system in a manner appropriate to the characteristics of the waste stream and thereby protect the state's land, air, water, and other natural resources and the public health. The following waste management practices are in order of preference:

- (1) waste reduction and reuse;
- (2) waste recycling;
- (3) composting of yard waste and food waste;
- (4) resource recovery through mixed municipal solid waste composting or incineration; ~~and~~
- (5) land disposal which involves the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale; and
- (6) land disposal which does not involve the retrieval of methane gas as a fuel for the production of energy to be used on-site or for sale.

Sec. 59. Minnesota Statutes 1998, section 115A.554, is amended to read:

115A.554 [AUTHORITY OF SANITARY DISTRICTS.]

A sanitary district has the authorities and duties of counties within the district's boundary for purposes of sections 115A.0716; 115A.46, subdivisions 4 and 5; 115A.48; 115A.551; 115A.552; 115A.553; 115A.919; ~~115A.929~~; 115A.93; 115A.96, subdivision 6; 115A.961; 116.072; 375.18, subdivision 14; 400.08; 400.16; and 400.161.

Sec. 60. Minnesota Statutes 1998, section 115A.918, subdivision 1, is amended to read:

Subdivision 1. [SCOPE.] The definitions in this section apply to this section and sections 115A.919 to ~~115A.929~~ 115A.923.

Sec. 61. Minnesota Statutes 1998, section 115B.42, is amended to read:

115B.42 [SOLID WASTE FUND.]

Subdivision 1. [ESTABLISHMENT; APPROPRIATION; SEPARATE ACCOUNTING.] (a) The solid waste fund is established in the state treasury. The fund consists of money credited to the fund and interest earned on the money in the fund. Except as provided in subdivision 2, ~~clause clauses~~ (7) and (8), money in the fund is annually appropriated to the commissioner for the purposes listed in subdivision 2.

(b) The commissioner of finance shall separately account for revenue deposited in the fund from financial assurance funds or other mechanisms, the metropolitan landfill contingency action trust fund, and all other sources of revenue.

Subd. 2. [EXPENDITURES.] (a) Money in the fund may be spent by the commissioner to:

(1) inspect permitted mixed municipal solid waste disposal facilities to:

(i) evaluate the adequacy of final cover, slopes, vegetation, and erosion control;

(ii) determine the presence and concentration of hazardous substances, pollutants or contaminants, and decomposition gases; and

(iii) determine the boundaries of fill areas;

(2) monitor and take, or reimburse others for, environmental response actions, including emergency response actions, at qualified facilities;

(3) acquire and dispose of property under section 115B.412, subdivision 3;

(4) recover costs under section 115B.39;

(5) administer, including providing staff and administrative support for, sections 115B.39 to 115B.445;

(6) enforce sections 115B.39 to 115B.445;

(7) subject to appropriation, administer the agency's groundwater and solid waste management programs;

(8) subject to appropriation, pay for private water supply monitoring and health assessment costs of the commissioner of health in areas contaminated by unpermitted mixed municipal solid waste disposal facilities;

(9) reimburse persons under section 115B.43; and

(9)(10) reimburse mediation expenses up to a total of \$250,000 annually or defense costs up to a total of \$250,000 annually for third-party claims for response costs under state or federal law as provided in section 115B.414.

Sec. 62. [115B.421] [CLOSED LANDFILL INVESTMENT FUND.]

The closed landfill investment fund is established in the state treasury. The fund consists of money credited to the fund, and interest and other earnings on money in the fund. The commissioner of finance shall transfer an initial amount of \$5,100,000 from the balance in the solid waste fund beginning in fiscal year 2000 and shall continue to transfer \$5,100,000 for each following fiscal year, ceasing after 2003. The fund shall be managed to maximize long-term gain through the state board of investment. Money in the fund may be spent by the commissioner after fiscal year 2020 in accordance with section 115B.42, subdivision 2, clauses (1) to (6).

Sec. 63. [116.915] [MERCURY REDUCTION.]

Subdivision 1. [GOAL.] It is the goal of the state to reduce mercury contamination by reducing the release of mercury into the air and water of the state by 60 percent from 1990 levels by December 31, 2000, and by 70 percent from 1990 levels by December 31, 2005. The goal applies to the statewide total of releases from existing and new sources of mercury. The commissioner shall publish updated estimates of 1990 releases in the State Register.

Subd. 2. [REDUCTION STRATEGIES.] The commissioner shall implement the strategies recommended by the mercury contamination reduction initiative advisory council and identified on pages 31 to 42 of the Minnesota pollution control agency's report entitled "Report on the Mercury Contamination Reduction Initiative Advisory Council's Results and Recommendations" as transmitted to the legislature by the commissioner's letter dated March 15, 1999. The commissioner shall solicit by July 1, 1999, voluntary reduction agreements from sources that emit more than 50 pounds of mercury per year.

Subd. 3. [PROGRESS REPORTS.] The commissioner, in cooperation with the director of the office of environmental assistance, shall submit progress reports to the legislature on October 15, 2001, and October 15, 2005. The reports shall address the state's success in meeting the mercury release reduction goals of subdivision 1, and discuss whether different voluntary or mandatory reduction strategies are needed. The reports shall also discuss whether the reduction goals are still appropriate given the most recent information regarding mercury risks.

Sec. 64. Minnesota Statutes 1998, section 169.121, subdivision 3, is amended to read:

Subd. 3. [CRIMINAL PENALTIES.] (a) As used in this section:

(1) "Prior impaired driving conviction" means a prior conviction under:

(i) this section; Minnesota Statutes 1996, section 84.91, subdivision 1, paragraph (a), or 86B.331, subdivision 1, paragraph (a); section 169.1211; section 169.129; or section 360.0752;

(ii) section 609.21, subdivision 1, clauses (2) to (6); subdivision 2, clauses (2) to (6); subdivision 2a, clauses (2) to (6); subdivision 2b, clauses (2) to (6); subdivision 3, clauses (2) to (6); or subdivision 4, clauses (2) to (6); or

(iii) an ordinance from this state, or a statute or ordinance from another state, in conformity with any provision listed in item (i) or (ii).

A prior impaired driving conviction also includes a prior juvenile adjudication that would have been a prior impaired driving conviction if committed by an adult.

(2) "Prior license revocation" means a driver's license suspension, revocation, cancellation, denial, or disqualification under:

(i) this section or section 169.1211, 169.123, 171.04, 171.14, 171.16, 171.165, 171.17, or 171.18 because of an alcohol-related incident;

(ii) section 609.21, subdivision 1, clauses (2) to (6); subdivision 2, clauses (2) to (6); subdivision 2a, clauses (2) to (6); subdivision 2b, clauses (2) to (6); subdivision 3, clauses (2) to (6); or subdivision 4, clauses (2) to (6); or

(iii) an ordinance from this state, or a statute or ordinance from another state, in conformity with any provision listed in item (i) or (ii).

"Prior license revocation" also means the revocation of snowmobile or all-terrain vehicle operating privileges under section 84.911, or motorboat operating privileges under section 86B.335, for violations that occurred on or after August 1, ~~1995~~ 1994; the revocation of snowmobile or all-terrain vehicle operating privileges under section 84.91; or the revocation of motorboat operating privileges under section 86B.331.

(b) A person who violates subdivision 1, clause (a), (b), (c), (d), (e), (g), or (h), or subdivision 1a, or an ordinance in conformity with any of them, is guilty of a misdemeanor.

(c) A person is guilty of a gross misdemeanor under any of the following circumstances:

(1) the person violates subdivision 1, clause (f);

(2) the person violates subdivision 1, clause (a), (b), (c), (d), (e), (g), or (h), or subdivision 1a, within five years of a prior impaired driving conviction or a prior license revocation;

(3) the person violates section 169.26 while in violation of subdivision 1; or

(4) the person violates subdivision 1 or 1a while a child under the age of 16 is in the vehicle, if the child is more than 36 months younger than the violator.

A person convicted of a gross misdemeanor under this paragraph is subject to the mandatory penalties provided in subdivision 3d.

(d) A person is guilty of an enhanced gross misdemeanor under any of the following circumstances:

(1) the person violates subdivision 1, clause (f), or commits a violation described in paragraph (c), clause (3) or (4), within ten years of one or more prior impaired driving convictions or prior license revocations;

(2) the person violates subdivision 1, clause (a), (b), (c), (d), (e), (g), or (h), or subdivision 1a, within ten years of the first of two or more prior impaired driving convictions, two or more prior license revocations, or any combination of two or more prior impaired driving convictions and prior license revocations, based on separate incidents.

A person convicted of an enhanced gross misdemeanor under this paragraph may be sentenced to imprisonment in a local correctional facility for not more than two years or to payment of a fine of not more than \$3,000, or both. Additionally, the person is subject to the applicable mandatory penalties provided in subdivision 3e.

(e) The court shall notify a person convicted of violating subdivision 1 or 1a that the registration plates of the person's motor vehicle may be impounded under section 168.042 and the vehicle may be subject to forfeiture under section 169.1217 upon a subsequent conviction for violating this section, section 169.129, or section 171.24, or a subsequent license revocation under section 169.123. The notice must describe the conduct and the time periods within which the conduct must occur in order to result in plate impoundment or forfeiture. The failure of the court to provide this information does not affect the applicability of the plate impoundment or the forfeiture provision to that person.

(f) The attorney in the jurisdiction in which the violation occurred who is responsible for prosecution of misdemeanor violations of this section shall also be responsible for prosecution of gross misdemeanor and enhanced gross misdemeanor violations of this section.

(g) The court must impose consecutive sentences when it sentences a person for a violation of this section or section 169.129 arising out of separate behavioral incidents. The court also must impose a consecutive sentence when it sentences a person for a violation of this section or section 169.129 and the person, at the time of sentencing, is on probation for, or serving, an executed sentence for a violation of this section or section 169.129 and the prior sentence involved a separate behavioral incident. The court also may order that the sentence imposed for a violation of this section or section 169.129 shall run consecutively to a previously imposed misdemeanor, gross misdemeanor, or felony sentence for a violation other than this section or section 169.129.

(h) When the court stays the sentence of a person convicted under this section, the length of the stay is governed by section 609.135, subdivision 2.

(i) The court may impose consecutive sentences for offenses arising out of a single course of conduct as permitted in section 609.035, subdivision 2.

(j) When an attorney responsible for prosecuting gross misdemeanors or enhanced gross misdemeanors under this section requests criminal history information relating to prior impaired driving convictions from a court, the court must furnish the information without charge.

(k) A violation of subdivision 1a may be prosecuted either in the jurisdiction where the arresting officer observed the defendant driving, operating, or in control of the motor vehicle or in the jurisdiction where the refusal occurred.

Sec. 65. Minnesota Statutes 1998, section 169.1217, subdivision 7a, is amended to read:

Subd. 7a. [ADMINISTRATIVE FORFEITURE PROCEDURE.] (a) A motor vehicle used to commit a designated offense or used in conduct resulting in a designated license revocation is subject to administrative forfeiture under this subdivision.

(b) When a motor vehicle is seized under subdivision 2, the appropriate agency shall serve the driver or operator of the vehicle with a notice of the seizure and intent to forfeit the vehicle. Additionally, when a motor vehicle is seized under subdivision 2, or within a reasonable time after that, all persons known to have an ownership or possessory interest in the vehicle must be notified of the seizure and the intent to forfeit the vehicle. Notice mailed by certified mail to the address shown in department of public safety records is sufficient notice to the registered owner of the vehicle. Otherwise, notice may be given in the manner provided by law for service of a summons in a civil action.

(c) The notice must be in writing and contain:

(1) a description of the vehicle seized;

(2) the date of seizure; and

(3) notice of the right to obtain judicial review of the forfeiture and of the procedure for obtaining that judicial review, printed in English, Hmong, and Spanish. Substantially the following language must appear conspicuously: "IF YOU DO NOT DEMAND JUDICIAL REVIEW EXACTLY AS PRESCRIBED IN MINNESOTA STATUTES, SECTION 169.1217, SUBDIVISION 7a, YOU LOSE THE RIGHT TO A JUDICIAL DETERMINATION OF THIS FORFEITURE AND YOU LOSE ANY RIGHT YOU MAY HAVE TO THE ABOVE DESCRIBED PROPERTY. YOU MAY NOT HAVE TO PAY THE FILING FEE FOR THE DEMAND IF DETERMINED YOU ARE UNABLE TO AFFORD THE FEE. YOU DO NOT HAVE TO PAY THE FILING FEE IF THE PROPERTY IS WORTH LESS THAN \$500 AND YOU FILE YOUR CLAIM IN CONCILIATION COURT."

(d) Within 30 days following service of a notice of seizure and forfeiture under this subdivision, a claimant may file a demand for a judicial determination of the forfeiture. The demand must be in the form of a civil complaint and must be filed with the court administrator in the county in which the seizure occurred, together with proof of service of a copy of the complaint on the prosecuting authority having jurisdiction over the forfeiture, and the standard filing fee for civil actions unless the petitioner has the right to sue in forma pauperis under section 563.01. If the value of the seized property is less than \$500, the claimant may file an action in conciliation court for recovery of the seized vehicle without paying the conciliation court filing fee. No responsive pleading is required of the prosecuting authority and no court fees may be charged for the prosecuting authority's appearance in the matter. Except as provided in this section, judicial reviews and hearings are governed by section 169.123, subdivisions 5c and 6, and shall take place at the same time as any judicial review of the person's license revocation under section 169.123. The proceedings may be combined with any hearing on a petition filed under section 169.123, subdivision 5c, and are governed by the rules of civil procedure.

(e) The complaint must be captioned in the name of the claimant as plaintiff and the seized vehicle as defendant, and must state with specificity the grounds on which the claimant alleges the vehicle was improperly seized and the plaintiff's interest in the vehicle seized. Notwithstanding any law to the contrary, an action for the return of a vehicle seized under this section may not be maintained by or on behalf of any person who has been served with a notice of seizure and forfeiture unless the person has complied with this subdivision.

(f) If the claimant makes a timely demand for a judicial determination under this subdivision, the appropriate agency must conduct the forfeiture under subdivision 8.

(g) If a demand for judicial determination of an administrative forfeiture is filed under this subdivision and the court orders the return of the seized vehicle, the court shall order that filing fees be reimbursed to the person who filed the demand. In addition, the court may order the payment of reasonable costs, expenses, and attorney fees under section ~~549.21, subdivision 2~~ 549.211.

Sec. 66. Minnesota Statutes 1998, section 169.1217, subdivision 9, is amended to read:

Subd. 9. [DISPOSITION OF FORFEITED VEHICLE.] (a) If the vehicle is administratively forfeited under subdivision 7a, or if the court finds under subdivision 8 that the vehicle is subject to forfeiture under subdivisions 6 and 7, the appropriate agency shall:

(1) sell the vehicle and distribute the proceeds under paragraph (b); or

(2) keep the vehicle for official use. If the agency keeps a forfeited motor vehicle for official use, it shall make reasonable efforts to ensure that the motor vehicle is available for use by the agency's officers who participate in the drug abuse resistance education program.

(b) The proceeds from the sale of forfeited vehicles, after payment of seizure, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be forwarded to the treasury of the political subdivision that employs the appropriate agency responsible for the forfeiture for use in DWI-related enforcement, training and education. If the appropriate agency is an agency of state government, the net proceeds must be forwarded to the state treasury and credited to the ~~general fund~~.

~~(c) The proceeds from the sale of forfeited off-road recreational vehicles and motorboats, after payment of seizure, storage, forfeiture, and sale expenses, and satisfaction of valid liens against the property, must be forwarded to the state treasury and credited to the following funds:~~

~~(1) if the forfeited vehicle is a motorboat, the net proceeds must be credited to the water recreation account in the natural resources fund;~~

~~(2) if the forfeited vehicle is a snowmobile, the net proceeds must be credited to the snowmobile trails and enforcement account in the natural resources fund;~~

(3) if the forfeited vehicle is an all-terrain vehicle, the net proceeds must be credited to the all-terrain vehicle account in the natural resources fund;

(4) if the forfeited vehicle is an off-highway motorcycle, the net proceeds must be credited to the off-highway motorcycle account in the natural resources fund;

(5) if the forfeited vehicle is an off-road vehicle, the net proceeds must be credited to the off-road vehicle account in the natural resources fund; and

(6) if otherwise, the net proceeds must be credited to the general fund.

Sec. 67. Minnesota Statutes 1998, section 169.123, subdivision 1, is amended to read:

Subdivision 1. [PEACE OFFICER DEFINED.] For purposes of this section, section 169.121, and section 169.1211, the term peace officer means (1) a state patrol officer, (2) University of Minnesota peace officer, (3) a constable as defined in section 367.40, subdivision 3, (4) police officer of any municipality, including towns having powers under section 368.01, or county, and (5) for purposes of violations of those sections in or on an off-road recreational vehicle or motorboat, or for violations of section 97B.065 or 97B.066, a state conservation officer.

Sec. 68. Minnesota Statutes 1998, section 171.07, subdivision 12, is amended to read:

Subd. 12. [SNOWMOBILE SAFETY CERTIFICATE.] (a) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a snowmobile safety certificate. The records transmitted from the department of natural resources must contain the full name and date of birth as required for the driver's license or identification card. Records that are not matched to a driver's license or identification card record may be deleted after seven years.

(b) After receiving information under paragraph (a) that a person has received a snowmobile safety certificate, the department shall include, on all drivers' licenses or Minnesota identification cards subsequently issued to the person, a graphic or written indication that the person has received the certificate.

(c) If a person who has received a snowmobile safety certificate applies for a driver's license or Minnesota identification card before that information has been transmitted to the department, the department may accept a copy of the certificate as proof of its issuance and shall then follow the procedures in paragraph (b).

Sec. 69. Minnesota Statutes 1998, section 171.07, subdivision 13, is amended to read:

Subd. 13. [FIREARMS SAFETY DESIGNATION.] (a) When an applicant has a record transmitted to the department as described in paragraph (c) or presents a firearms safety certificate issued for successfully completing a firearms safety course administered under section 97B.015, voluntarily and requests a driver's license or identification card described in paragraph (b), pays the required fees, and otherwise qualifies; the department shall issue, renew, or reissue to the applicant a driver's license or Minnesota identification card described in paragraph (b).

(b) Pursuant to paragraph (a), the department shall issue a driver's license or Minnesota identification card bearing a designation or symbolic representation, as designed by the commissioner in consultation with the commissioner of natural resources, indicating graphic or written indication that the applicant has successfully completed a firearms safety course and is knowledgeable in firearms safety administered under section 97B.015.

(c) The department shall maintain in its records information transmitted electronically from the commissioner of natural resources identifying each person to whom the commissioner has issued a firearms safety certificate. The records transmitted from the department of natural resources must contain the full name and date of birth as required for the driver's license or identification card. Records that are not matched to a driver's license or identification card record may be deleted after seven years.

Sec. 70. Minnesota Statutes 1998, section 290.431, is amended to read:

290.431 [NONGAME WILDLIFE CHECKOFF.]

Every individual who files an income tax return or property tax refund claim form may designate on their original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that individual and paid into an account to be established for the management of nongame wildlife. The commissioner of revenue shall, on the income tax return and the property tax refund claim form, notify filers of their right to designate that a portion of their tax or refund shall be paid into the nongame wildlife management account. The sum of the amounts so designated to be paid shall be credited to the nongame wildlife management account for use by the nongame program of the section of wildlife in the department of natural resources. All interest earned on money accrued, gifts to the program, contributions to the program, and reimbursements of expenditures in the nongame wildlife management account shall be credited to the account by the state treasurer. The commissioner of natural resources shall submit a work program for each fiscal year and semiannual progress reports to the legislative commission on Minnesota resources in the form determined by the commission. None of the money provided in this section may be expended unless the commission has approved the work program.

The state pledges and agrees with all contributors to the nongame wildlife management account to use the funds contributed solely for the management of nongame wildlife projects and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of nongame wildlife.

Sec. 71. Minnesota Statutes 1998, section 290.432, is amended to read:

290.432 [CORPORATE NONGAME WILDLIFE CHECKOFF.]

A corporation that files an income tax return may designate on its original return that \$1 or more shall be added to the tax or deducted from the refund that would otherwise be payable by or to that corporation and paid into the nongame wildlife management account established by section 290.431 for use by the section of wildlife in the department of natural resources for its nongame wildlife program. The commissioner of revenue shall, on the corporate tax return, notify filers of their right to designate that a portion of their tax return be paid into the nongame wildlife management account for the protection of endangered natural resources. All interest earned on money accrued, gifts to the program, contributions to the program, and reimbursements of expenditures in the nongame wildlife management account shall be credited to the account by the state treasurer. The commissioner of natural resources shall submit a work program for each fiscal year to the legislative commission on Minnesota resources in the form determined by the commission. None of the money provided in this section may be spent unless the commission has approved the work program.

The state pledges and agrees with all corporate contributors to the nongame wildlife account to use the funds contributed solely for the nongame wildlife program and further agrees that it will not impose additional conditions or restrictions that will limit or otherwise restrict the ability of the commissioner of natural resources to use the available funds for the most efficient and effective management of those programs.

Sec. 72. Minnesota Statutes 1998, section 296A.18, subdivision 3, is amended to read:

Subd. 3. [SNOWMOBILE.] Approximately one percent ~~in fiscal years 1998 and 1999, and three-fourths of one percent thereafter,~~ of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes, one percent ~~in fiscal years 1998 and 1999, and three-fourths of one percent thereafter,~~ of such revenues is the amount of tax on fuel used in snowmobiles operated in this state.

Sec. 73. Minnesota Statutes 1998, section 297H.13, subdivision 5, is amended to read:

Subd. 5. [REPORT ON RECEIPTS.] The commissioner of revenue shall report to the chairs of the house and senate environment and natural resources committees; the house environment and natural resources finance division; the senate environment and agriculture budget division; the house tax committee and the senate taxes and tax laws committee; the commissioner of the pollution control agency; and the director of the office of environmental assistance on the total tax revenues received from the taxes imposed under this chapter. The reports shall be made as follows:

(1) a report by ~~May 31, 1998; July 31 of each year~~ based on amounts received by the commissioner of revenue from ~~January 1, 1998, through April 30, 1998~~ January 1 through June 30 of that year; and

(2) a report by ~~September 30, 1998; January 31 of each year~~ based on amounts received by the commissioner of revenue from ~~May 1, 1998, through August 31, 1998; and~~

(3) a report by ~~January 31, 1999, based on amounts received by the commissioner of revenue from September 1, 1998, through December 31, 1998~~ July 1 through December 31 of the preceding year.

Sec. 74. Minnesota Statutes 1998, section 325E.11, is amended to read:

325E.11 [COLLECTION FACILITIES; NOTICE.]

(a) Any person selling at retail or offering motor oil or motor oil filters for retail sale in this state shall:

(1) post a notice indicating the nearest location where used motor oil and used motor oil filters may be returned at no cost for recycling or reuse;

(2) post a toll-free telephone number that may be called by the public to determine a convenient location; or

(3) post a listing of locations where used motor oil and used motor oil filters may be returned at no cost for recycling or reuse; or

~~(2) if the person is subject to section 325E.112, post a notice informing customers purchasing motor oil or motor oil filters of the location of the used motor oil and used motor oil filter collection site established by the retailer in accordance with section 325E.112 where used motor oil and used motor oil filters may be returned at no cost.~~

(b) A notice under paragraph (a) shall be posted on or adjacent to the motor oil and motor oil filter displays, be at least 8-1/2 inches by 11 inches in size, contain the universal recycling symbol with the following language:

(1) "It is illegal to put used oil and used motor oil filters in the garbage.";

(2) "Recycle your used oil and used motor oil filters."; and

(3)(i) "There is a free collection site here for your used oil and used motor oil filters.";

(ii) "There is a free collection site for used oil and used motor oil filters located at (name of business and street address).";

(iii) "For the location of a free collection site for used oil and used motor oil filters call (toll-free phone number)."; or

(iv) "Here is a list of free collection sites for used oil and used motor oil filters."

(c) The division of weights and measures under the department of public service shall enforce compliance with this section as provided in section 239.54. The pollution control agency shall enforce compliance with this section under sections 115.071 and 116.072 in coordination with the division of weights and measures.

Sec. 75. Minnesota Statutes 1998, section 325E.112, subdivision 1, is amended to read:

Subdivision 1. [COLLECTION SITE GOAL.] ~~[COLLECTION.]~~ (a) ~~Retailers that sell at an individual location more than 1,000 motor oil filters per calendar year at retail for off-site installation must provide for collection of used motor oil and used motor oil filters from the public. Retailers who do not collect the used motor oil and used motor oil filters at their individual locations may meet the requirement by entering into a written agreement with another party whose location is:~~

~~(1) within two miles of the retailer's location if the retailer is located:~~

~~(i) within the Interstate Highway 494/694 beltway;~~

~~(ii) in a home rule charter or statutory city or a town contiguous to the Interstate Highway 494/694 beltway; or~~

~~(iii) in a home rule charter or statutory city of over 30,000 population within the metropolitan area as defined in section 473.121; or~~

~~(2) within five miles of the retailer's location if the retailer is not in an area described in clause (1).~~

~~(b) The written agreement must specify that the other party will accept from the public up to ten gallons of used motor oil and ten used motor oil filters per person per month during normal hours of operation unless:~~

~~(1) the used motor oil is known to be contaminated with antifreeze, other hazardous waste, or other materials which may increase the cost of used motor oil management and disposal;~~

~~(2) the storage equipment for that particular waste is temporarily filled to capacity; or~~

~~(3) the used motor oil or used motor oil filters are from a business.~~

~~(c) Persons accepting used motor oil from the public in accordance with this subdivision shall presume that the used motor oil is not contaminated with hazardous waste, provided the person offering the used motor oil is acting in good faith and the person accepting the used motor oil does not have evidence to the contrary. Persons collecting used motor oil from the public must take precautions to prevent contamination of used motor oil storage equipment. Precautions may include, but are not limited to, keeping a log of persons dropping off used motor oil, securing access to used motor oil storage equipment, or posting signage at the site indicating the proper use of the equipment.~~

~~(d) Persons accepting used motor oil and used motor oil filters under paragraph (a), including persons accepting the oil and filters on behalf of the retailer, may not charge a fee when accepting ten gallons or less of used motor oil or ten or fewer used motor oil filters per person per month.~~

~~(e) Persons that receive contaminated used motor oil may manage the used motor oil as household hazardous waste through publicly administered household hazardous waste collection programs, with approval from the household hazardous waste program. Used motor oil contaminated with hazardous waste from the public that cannot be managed through a household hazardous waste collection program must be managed as a hazardous waste in accordance with rules adopted by the pollution control agency. Motor oil and motor oil filter manufacturers and retailers shall seek to provide:~~

~~(1) access to at least one nongovernment site for collection of used motor oil and used motor oil filters from the public every five square miles in the seven-county metropolitan area; and~~

~~(2) access to a nongovernment site for collection of used motor oil and used motor oil filters from the public within the city or town with a population of greater than 1,500 outside the seven-county metropolitan area.~~

Sec. 76. Minnesota Statutes 1998, section 325E.112, subdivision 2, is amended to read:

Subd. 2. [REIMBURSEMENT PROGRAM.] A contaminated used motor oil reimbursement program is established to provide reimbursement of the costs of disposing of contaminated used motor oil. In order to receive reimbursement, persons who accept used motor oil from the public ~~or parties that they have contracted with to accept used motor oil~~ must provide to the commissioner of the pollution control agency proof of contamination, information on methods the person used to prevent the contamination of used motor oil at the site, a copy of the billing for disposal costs incurred because of the contamination and proof of payment, and a copy of the hazardous waste manifest or shipping paper used to transport the waste. The commissioner shall reimburse a recipient of contaminated used motor oil 100 percent of the costs of properly disposing of the contaminated used motor oil. The commissioner may not reimburse persons who intentionally place contaminants or do not take precautions to prevent contaminants from being placed in used motor oil, or operate a private collection site that:

- (1) is not publicly promotable or listed with the agency;
- (2) does not accept up to five gallons of used motor oil and five used motor oil filters per person per day without charging a fee; or
- (3) does not control access to the site during times when the site is closed.

A person operating a collection site may refuse to accept any used motor oil or used motor oil filter:

- (1) that is from a business;
- (2) that appears to be contaminated with antifreeze, hazardous waste, or other materials that may increase the cost of used motor oil management and disposal; or
- (3) when the storage equipment for that particular waste is temporarily filled.

Persons operating government collection sites are eligible for reimbursement of the costs of disposing of contaminated used motor oil. Reimbursements made under this subdivision are limited to the money available in the contaminated used motor oil reimbursement account.

Sec. 77. Minnesota Statutes 1998, section 325E.112, subdivision 3, is amended to read:

Subd. 3. [EDUCATION PROGRAM.] ~~When the~~ By June 30 of each year, the commissioner estimates that all shall estimate the amount of funds available under section 325E.113 that will not be expended for reimbursements; the commissioner may use the estimated unexpended funds and shall transfer all or a portion of the estimated unexpended funds to the office of environmental assistance to cover the costs of educating the public and businesses on the provisions of this section and on proper management of used motor oil, used motor oil filters, and other automotive wastes. In coordination with the pollution control agency, county solid waste administrators, used motor oil and used motor oil filter collection site operators, and manufacturers and retailers of motor oil and motor oil filters, the director of the office of environmental assistance shall educate the public and businesses on the proper management of used motor oil, used motor oil filters, and other automotive wastes. As part of the education efforts, the director shall make information available to the public and businesses regarding the proper management of used motor oil, used motor oil filters, and other automotive wastes on the office's World Wide Web page. The commissioner of the pollution control agency shall also make information regarding the proper management of used motor oil, used motor oil filters, and other automotive wastes available on the agency's World Wide Web page.

Sec. 78. Minnesota Statutes 1998, section 325E.112, subdivision 4, is amended to read:

Subd. 4. [LIABILITY EXEMPTION.] Persons who accept used motor oil and used motor oil filters from the public and retailers and manufacturers who contract with such persons for purposes of subdivision 1 are exempt from liability under chapter 115B for the used motor oil, contaminated used motor oil, and used motor oil filters accepted

~~under the provisions of subdivision 1 at facilities that accept used motor oil or used motor oil filters from the public free of charge,~~ after the used motor oil, contaminated used motor oil, and used motor oil filters are sent off-site in compliance with rules adopted by the pollution control agency.

Sec. 79. Minnesota Statutes 1998, section 325E.113, is amended to read:

325E.113 [CONTAMINATED USED MOTOR OIL REIMBURSEMENT ACCOUNT.]

The contaminated used motor oil reimbursement account is established in the environmental fund. Money in the account is appropriated to the commissioner of the pollution control agency for the commissioner's activities under section 325E.112 and to complete the study required by section 86, except that the commissioner may not expend more than \$50,000 for the study required by section 86.

Sec. 80. Minnesota Statutes 1998, section 574.263, is amended to read:

574.263 [~~FORESTRY~~ NATURAL RESOURCE DEVELOPMENT PROJECTS.]

Subdivision 1. [DEFINITION.] For the purposes of this section and section 574.264, "forestry natural resource development project" includes site preparation by discing, shearing, rock raking or piling, patch scarification, or furrowing; prairie restoration; creation of wildlife openings and other wildlife habitat improvements; landscape clearing; tree planting; tree seeding; tree pruning; timber stand improvement by thinning or clearing existing forest trees by manual, mechanical, or chemical techniques; or ~~forest road and bridge~~ construction, reconstruction, and maintenance of department of natural resources trails, public accesses, water control structures, fish barriers, sewage treatment systems, roads, and bridges.

Subd. 2. [CONTRACTOR'S BOND.] A contract with the state for a forestry natural resource development project may require a performance bond at the discretion of the commissioner of natural resources. If the commissioner determines that a performance bond is required, it shall not be less than five percent of the contract price.

Subd. 3. [BID DEPOSIT IN PLACE OF PERFORMANCE BOND.] For a contract made by the commissioner for a forestry natural resource development project, the commissioner may require a bid deposit in place of a performance bond for charges that may accrue because of doing the specified work and to enforce the terms of the contract. The commissioner may set the amount of the bid deposit, but it may not be less than five percent of the contract price.

Subd. 4. [PAYMENT BOND.] A contract with the state for a forestry natural resource development project may require a payment bond at the discretion of the commissioner of natural resources. If the commissioner determines that a payment bond is required, the commissioner also has the discretion to decide whether the bond may be in the form of securities in place of a bond as provided in section 574.264. If so, the securities cannot have less value than five percent of the contract price.

Sec. 81. Minnesota Statutes 1998, section 574.264, subdivision 1, is amended to read:

Subdivision 1. [~~FOREST~~ NATURAL RESOURCE DEVELOPMENT PROJECTS.] In place of a performance or payment bond or bid deposit for a state contract for a forestry natural resource development project less than \$50,000, the person required to file the bond or bid deposit may deposit in a local designated state depository or with the state treasurer a certified check, a cashier's check, a postal, bank, or express money order, assignable bonds or notes of the United States, or an assignment of a bank savings account or investment certificate or an irrevocable bank letter of credit, in the same amount that would be required for the bond or bid deposit. If securities listed in this section are deposited, their value shall not be less than the amount required for the bond or bid deposit and the person required to file the bond or bid deposit shall submit an agreement authorizing the commissioner to sell or otherwise take possession of the securities in the event of default under the contract or nonpayment of any persons furnishing labor and materials under, or to perform, the contract.

Sec. 82. Laws 1995, chapter 220, section 142, as amended by Laws 1995, chapter 263, section 12, and Laws 1996, chapter 351, section 1, is amended to read:

Sec. 142. [EFFECTIVE DATES.]

Sections 2, 5, 7, 20, 42, 44 to 49, 56, 57, 101, 102, 117, and 141, paragraph (d), are effective the day following final enactment.

Sections 114, 115, 118, and 121 are effective January 1, 1996.

Sections 120, subdivisions 2, 3, 4, and 5, and 141, paragraph (c), are effective July 1, 1996.

Section 141, paragraph (b), is effective ~~June 30, 1999~~ December 31, 1999.

Sections 58 and 66 are effective retroactively to August 1, 1991.

Section 119 is effective September 1, 1996.

Section 120, subdivision 1, is effective July 1, 1999.

Sec. 83. Laws 1996, chapter 351, section 2, as amended by Laws 1997, chapter 216, section 141, is amended to read:

Sec. 2. [~~RECYCLING GOALS AND ACTIONS.~~]

Subdivision 1. (a) ~~The following recycling or reuse goals shall be considered met if the actions in this subdivision are initiated by the identified parties on or before September 1, 1997, and are fully completed by December 31, 1998. Additionally, the goals in paragraph (b) must be met in at least 50 percent of counties by December 31, 1997; 75 percent by June 1, 1998; and 100 percent by December 31, 1998.~~

~~(b) Motor oil and motor oil filter manufacturers and retailers shall ensure that:~~

~~(1) at least 90 percent of residents within the seven-county metropolitan area and residents of a city or town with a population greater than 1,500 have access to a free nongovernment collection site for used motor oil and used motor oil filters within five miles of their residences; and~~

~~(2) at least one free nongovernment collection site for used motor oil and used motor oil filters generated by the public would be located in each county.~~

~~(c) Motor oil and motor oil filter manufacturers and retailers shall inform the public about environmental problems associated with improper disposal of used motor oil and used motor oil filters and proper disposal practices for used motor oil and used motor oil filters. At a minimum, this shall include public service announcements designed to reach residents of the state that generate used motor oil and used motor oil filters.~~

~~(d) (b) The commissioner of the pollution control agency director of the office of environmental assistance shall, by December 31, 1997, and at least annually thereafter or more frequently if deemed necessary, request motor oil and motor oil filter manufacturers and retailers, persons who haul used motor oil and used motor oil filters, and nongovernment persons who accept used motor oil and used motor oil filters from the public to provide an updated list of all existing sites that collect used motor oil, used motor oil filters, or both, from the public, delineating for public promotion which sites collect for free. The commissioner shall use this information to determine whether the parties identified in paragraph (b) have met the goals listed in that paragraph. A collection site operated by the state or a political subdivision, as defined in Minnesota Statutes, section 115A.03, subdivision 24, may be counted towards meeting recycling goals, provided that the parties responsible for meeting the goals of this subdivision voluntarily reimburse the state or political subdivision for all of the costs at that collection site that are associated with used~~

~~motor oil and used motor oil filter recycling.~~ Persons who accept used motor oil and used motor oil filters from the public shall cooperate with manufacturers and retailers of motor oil and motor oil filters to inform the agency office of environmental assistance within ~~ten~~ 30 days of initiating or ceasing to collect used motor oil or used motor oil filters from the public. The information shall be provided in a form and manner prescribed by the ~~commissioner~~ director of the office of environmental assistance. Using the information provided under this paragraph, the director of the office of environmental assistance shall prepare and make available to the public a list of all existing sites that collect used motor oil, used motor oil filters, or both from the public. The list must include all sites in the state, including both government and nongovernment collection sites and both sites that accept used motor oil or used motor oil filters free of charge or for a fee. The director shall update the list at least annually.

~~(e)~~ (c) Motor oil filter manufacturers shall disclose to retailers whether lead has been intentionally introduced in manufacturing, and retailers shall not knowingly sell motor oil filters containing lead intentionally introduced in manufacturing.

Subd. 2. The commissioner of the pollution control agency may appoint an advisory group of diverse interests to assist the agency with experimentation with various approaches to public education, financial incentives, waste management, and other issues that might affect the effectiveness of recycling efforts. ~~The commissioner may request parties responsible for meeting the recycling goals in subdivision 1 to voluntarily pay for some of the experimentation costs. The existence of this advisory group in no way relieves the parties identified in subdivision 1 of responsibility for meeting the goals listed in that subdivision.~~ The commissioner of the pollution control agency shall appoint an advisory group chair.

~~Subd. 3. By January 15, 1999, the commissioner of the pollution control agency shall report to the environment and natural resources committees of the senate and the house of representatives on the amount of used motor oil and used motor oil filters being recycled and whether the goals in subdivision 1 have been met and recommend whether the mandate for retailers of motor oil and filters described in Minnesota Statutes, section 325E.112, subdivision 1, is needed to achieve the recycling goals.~~

Sec. 84. Laws 1998, chapter 404, section 7, subdivision 23, is amended to read:

Subd. 23. Metro Regional Trails

5,000,000

For grants to the metropolitan council for acquisition and development of a capital nature of trail connections in the metropolitan area as specified in this subdivision. The purpose of the grants is to improve trails in the metropolitan park and open space system and connect them with existing state and regional trails. Priority shall be given to matching funds for an ISTEA grant.

The funds shall be allocated by the council as follows:

(1) \$1,050,000 is allocated to Ramsey county as follows:

(i) \$400,000 to complete six miles of trails between the Burlington Northern Regional Trail and Bald Eagle-Otter Lake Regional Park;

(ii) \$150,000 to complete a one-mile connection between Birch Lake and the Lake Tamarack segment of Bald Eagle-Otter Lake Regional Park;

(iii) \$500,000 to acquire real property and design and construct or renovate recreation facilities along the Mississippi River in cooperation with the city of St. Paul;

(2) \$1,050,000 is allocated to the city of St. Paul as follows:

(i) \$250,000 to construct a bridge over Lexington Parkway in Como Regional Park; and

(ii) \$800,000 to enhance amenities for the trailhead at the Lilydale-Harriet Island Regional Park pavilion;

(3) \$1,400,000 is allocated to Anoka county ~~as follows to~~ construct:

(i) ~~\$1,100,000 to construct~~ a pedestrian tunnel under Highway 65 on the Rice Creek West Regional Trail in the city of Fridley; and

(ii) ~~\$300,000 to construct~~ a pedestrian bridge on the Mississippi River Regional Trail crossing over Mississippi Street in the city of Fridley; and

(4) \$1,500,000 is allocated to the suburban Hennepin regional park district as follows:

(i) \$1,000,000 to connect North Hennepin Regional Trail to Luce Line State Trail and Medicine Lake; and

(ii) \$500,000 is for the cost of development and acquisition of the Southwest regional trail in the city of St. Louis Park. The trail must connect the Minneapolis regional trail system at Cedar Lake park to the Hennepin parks regional trail system at the Hopkins trail head.

Sec. 85. Laws 1998, chapter 404, section 7, subdivision 26, is amended to read:

Subd. 26. Local Initiative Grants

8,000,000

For matching grants to be provided to local units of government for acquisition, development, or renovation of a capital nature of local parks, trails, and natural and scenic areas. Recipients must provide a match of at least one-half of total eligible project costs. The commissioner shall make payment to local units of government upon receiving documentation of reimbursable expenditures. The commissioner shall determine project priorities as appropriate based upon need.

\$3,500,000 of this appropriation is for grants to units of government to acquire and develop outdoor recreation areas, and for grants to units of government to acquire and better natural and scenic areas under Minnesota Statutes, section 85.019, subdivision 4a.

\$1,000,000 of this appropriation is for cooperative trail grants of up to \$50,000 per project to acquire or construct trail linkages between communities, trails, and parks.

\$3,500,000 of this appropriation is for trail grants for the following locally funded publicly owned trails serving multiple communities: \$1,400,000 for Beaver Island Trail in Stearns County, \$1,400,000 for Skunk Hollow Trail in Yellow Medicine and Chippewa Counties, and \$700,000 for Unity Trail in Faribault County. The grant for Beaver Island Trail in Stearns County is available in the manner and the order that follows: \$500,000 is available upon commitment of an equal amount from nonstate sources, \$152,000 is available upon contribution of an equal amount from local governments, \$374,000 is available upon commitment of an equal amount from nonstate sources, and the balance of \$374,000 is available upon commitment of an equal amount from nonstate sources.

Sec. 86. [ANALYSIS OF USED OIL FILTER DISPOSAL METHODS.]

In consultation with the office of environmental assistance, representatives of motor oil manufacturers, representatives of motor oil filter manufacturers, representatives of site that accept used motor oil and used motor oil filters from the public, and representatives of the haulers of mixed municipal solid waste, the commissioner of the pollution control agency shall analyze the technical feasibility of alternative methods of disposing of and recycling of used oil motor filters. The commissioner shall report to the chairs of the house and senate committees with jurisdiction over environmental policy and finance issues by January 15, 2001 on the findings of the analysis performed under this section and any recommendations.

Sec. 87. [PRIVATE CONVEYANCE OF STATE LAND; ROCK COUNTY.]

(a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of natural resources may sell the state-owned land described in paragraph (c) by private sale to the adjacent landowner east of the township road.

(b) The consideration for the sale shall be the land's appraised value as certified by the state and the conveyance shall be in a form approved by the attorney general.

(c) The land to be sold is located in Rock county, consists of 0.6 acres, more or less, and is described as:

That part of the Northwest Quarter of Section 13, Township 103 North, Range 45 West, described as follows:

Commencing at the West Quarter corner of Section 13; thence North 00 degrees 17 minutes 27 seconds West (assumed bearing) along the west line of the Northwest Quarter of said section a distance of 128.17 feet to the point of beginning; thence continuing North 00 degrees 17 minutes 27 seconds West along said west line a distance of 11.84 feet to a point 140.00 feet north of the south line of the Northwest Quarter of said section and the northwest corner of that certain tract of land conveyed to the state of Minnesota by final certificate, filed for record in the office of the Rock county recorder on May 19, 1938, in Book "M" of Miscl., pages 515-517; thence South 89 degrees 28 minutes 55 seconds East parallel with the south line of the Northwest Quarter of said section and along the north line of said tract a distance of 1474.45 feet to the northeast corner of said tract; thence South 00 degrees 17 minutes 27 seconds East parallel with the west line of said section and along the east line of said tract a distance of 25.29 feet to an iron stake with DNR caps; thence North 88 degrees 57 minutes 33 seconds West along an existing fence line a distance of 1092.38 feet to Point A and an iron stake; thence continuing North 88 degrees 57 minutes 33 seconds West along said fence line extended a distance of 382.32 feet to said point of beginning.

Said tract is subject to a roadway easement and any other easements of record if any.

(d) The deed from the commissioner shall include the following restrictive covenant: that part of the above described tract of land lying easterly of and within 60 feet of Point A shall be maintained in tall grass cover with no use for livestock purposes. A breach of such restrictive covenant shall result in the automatic reversion of the restricted land to the state.

Sec. 88. [RULEMAKING AUTHORITY REVOKED AND MORATORIUM IMPOSED.]

Subdivision 1. [AUTHORITY REVOKED.] Notwithstanding other law to the contrary, the commissioner of natural resources is without authority to adopt the rules proposed in the State Register, volume 23, pages 751 to 763, October 5, 1998.

Subd. 2. [EFFECTIVE DATE.] Subdivision 1 is effective retroactively to October 4, 1998.

Sec. 89. [FARMSTEAD WINDBREAK RULES.]

The board of water and soil resources must adopt rules to implement a cost-share program for farmstead windbreaks.

Sec. 90. [ANALYSIS OF ELECTRONIC DEVICES.]

The commissioner of natural resources shall assess the use of electronic devices used in consumptive activities related to fish and wildlife resources through creel surveys, other user surveys, or point of license purchase. The commissioner shall report to the legislature by January 15, 2000, the findings of the surveys and provide an analysis of the feasibility of assessing the impact of current and anticipated use of electronic devices on fish and wildlife resources.

Sec. 91. [CONSERVATION LICENSE STUDY.]

The commissioner of natural resources shall conduct a study on the feasibility of creating a conservation angling license that imposes lower catch limits. The study must at a minimum address whether a conservation angling license would substantially preserve fish resources, evaluate the fiscal impact of such a license on the game and fish fund, and recommend a fee for the license. The commissioner shall report the study findings and recommendations to the legislature by January 15, 2000.

Sec. 92. [STATE PARK LIFETIME PASS.]

The commissioner of natural resources must study the concept and possibility of a lifetime state park entrance pass for residents. The commissioner must address the cost of a lifetime pass, the incentive it may create for more residents to purchase a pass, and any possible gain or loss to state park income.

Sec. 93. [REPEALER.]

Minnesota Statutes 1998, sections 86B.415, subdivision 7a; 115A.929; 115A.9651; 115A.981; 297H.13, subdivision 6; and 473.845, subdivision 2, are repealed effective the day following final enactment. Minnesota Statutes 1998, sections 1.31; and 325E.112, subdivision 5, are repealed effective July 1, 1999. Minnesota Statutes 1998, section 84B.11, is repealed effective June 30, 2000.

Sec. 94. [EFFECTIVE DATE.]

Sections 15 to 18, 21 to 25, 34, 35, 47, 58 to 71, 73, 80 to 82, 85, 88, and 92 are effective on the day following final enactment. Sections 33 and 37 to 45 are effective March 1, 2000."

Delete the title and insert:

"A bill for an act relating to state government; appropriating money for environmental and natural resources purposes; amending Minnesota Statutes 1998, sections 14.386; 84.027, subdivision 15; 84.0855, subdivision 2, and by adding a subdivision; 84.83, subdivisions 3 and 4; 84.86, subdivision 1; 84.862, subdivisions 1 and 2; 84.872, subdivision 1; 84.91, subdivision 1; 84.98, subdivision 6; 85.015, by adding a subdivision; 85.019, subdivision 2, and by adding subdivisions; 86B.415, subdivision 1; 88.067; 92.46, subdivision 1; 97A.075, subdivision 1; 97A.475,

subdivisions 2, 3, 6, 7, 8, 11, 12, 13, and 20; 97A.485, subdivision 12; 97B.020; 103B.227, subdivision 2; 103C.401, by adding a subdivision; 115.55, subdivision 5a; 115A.02; 115A.554; 115A.918, subdivision 1; 115B.42; 169.121, subdivision 3; 169.1217, subdivisions 7a and 9; 169.123, subdivision 1; 171.07, subdivisions 12 and 13; 290.431; 290.432; 296A.18, subdivision 3; 297H.13, subdivision 5; 325E.11; 325E.112, subdivisions 1, 2, 3, and 4; 325E.113; 574.263; and 574.264, subdivision 1; Laws 1995, chapter 220, section 142, as amended; Laws 1996, chapter 351, section 2, as amended; Laws 1998, chapter 404, section 7, subdivisions 23 and 26; proposing coding for new law in Minnesota Statutes, chapters 103F; 115B; and 116; repealing Minnesota Statutes 1998, sections 1.31; 84B.11; 86B.415, subdivision 7a; 115A.929; 115A.9651; 115A.981; 297H.13, subdivision 6; 325E.112, subdivision 5; and 473.845, subdivision 2."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

Ness from the Committee on Agriculture and Rural Development Finance to which was referred:

H. F. No. 2389, A bill for an act relating to agriculture; appropriating money for agricultural purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 1998, sections 17.115, subdivision 3; 17.116, subdivision 3; 17.136; 17.451, subdivision 2; 17.452, subdivisions 5 and 8; 17.59, subdivision 5; 17A.11; 18B.05, subdivision 1; 18B.26, subdivision 5; 18C.131; 18E.02, subdivision 5; 21.115; 21.92; 25.39, subdivision 4; 27.07, subdivision 6; 28A.08, subdivision 3; 31.94; 31.95, subdivision 3a; 32.21, subdivision 4; 32.394, subdivision 9; 35.02, subdivision 1; 35.04; 35.05; 35.08; 35.09, subdivisions 2 and 2a; 35.67; 35.68; 35.82, subdivisions 1b, 2, and 3; 35.92, subdivision 5; 35.93, subdivision 1; 41A.09, subdivision 3a; 41D.02, subdivision 2; 103F.515, subdivision 2; 156.001, subdivisions 2, 3, and by adding a subdivision; 156.01, subdivision 3; 156.02, subdivisions 1 and 2; 156.03; 156.072; 156.10; 156.11; 156.12, subdivisions 2 and 4; and 239.791, subdivisions 1, 12, and by adding subdivisions; proposing coding for new law in Minnesota Statutes, chapters 17; 18E; 28A; 31B; and 156; repealing Minnesota Statutes 1998, sections 17.76; 35.245; 35.96, subdivision 4; 42.01; 42.02; 42.03; 42.04; 42.05; 42.06; 42.07; 42.08; 42.09; 42.10; 42.11; 42.12; 42.13; and 42.14.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:

"Section 1. [AGRICULTURE APPROPRIATIONS.]

The sums shown in the columns marked "APPROPRIATIONS" are appropriated from the general fund, or another named fund, to the agencies and for the purposes specified in this act, to be available for the fiscal years indicated for each purpose. The figures "1999," "2000," and "2001," where used in this act, mean that the appropriation or appropriations listed under them are available for the year ending June 30, 1999, June 30, 2000, or June 30, 2001, respectively.

#### SUMMARY BY FUND

	1999	2000	2001	TOTAL
General	\$ -0-	\$35,426,000	\$30,684,000	\$66,110,000
Special Revenue		200,000	200,000	400,000

Environmental		336,000	342,000	678,000
Solid Waste		-0-	-0-	-0-
TOTAL	\$ -0-	\$35,962,000	\$31,226,000	\$67,188,000

APPROPRIATIONS  
Available for the Year  
Ending June 30

2000	2001
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## Sec. 2. AGRICULTURE

Subdivision 1. Total Appropriation	\$28,565,000	\$23,775,000
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### Summary by Fund

General	28,229,000	23,433,000
Environmental	336,000	342,000

The amounts that may be spent from this appropriation for each program are specified in the following subdivisions.

### Subd. 2. Protection Service

11,589,000	11,774,000
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### Summary by Fund

General	11,253,000	11,432,000
Environmental	336,000	342,000

\$336,000 the first year and \$342,000 the second year are from the environmental response, compensation, and compliance account in the environmental fund.

\$200,000 the first year shall be transferred to the seed potato inspection fund and used for the administration and enforcement of Minnesota Statutes, sections 21.80 to 21.92. This appropriation is to supplement the fees paid by seed potato growers. This is a one-time appropriation.

\$100,000 the first year is to conduct a predesign study for a joint agency laboratory that will serve the environmental laboratory needs of the department of agriculture, department of natural resources, pollution control agency, and the Minnesota department of health. This is a one-time appropriation.

\$25,000 the first year and \$25,000 the second year are for expenses associated with the licensing and management of cervidae shooting preserves in section 12. This is a one-time appropriation.

\$250,000 the first year and \$50,000 the second year shall be transferred to the grain inspection account to replace revenues lost due to poor yields and low market prices for grains during 1999. This is a one-time appropriation.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

\$30,000 the first year and \$30,000 the second year are to replace cuts in federal funding for the elevator inspection program. This is a one-time appropriation.

\$158,000 the first year and \$158,000 the second year are for payment of claims relating to livestock damaged by threatened or endangered animal species and agricultural crops damaged by elk. If the appropriation for either year is insufficient, the appropriation for the other year is available for it. This is not a one-time appropriation.

Subd. 3. Agricultural Marketing and Development

10,616,000	5,867,000
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\$25,000 the first year and \$25,000 the second year are for a grant to the University of Minnesota for research on grazing or organic farming. This is a one-time appropriation.

Notwithstanding Minnesota Statutes, section 41A.09, subdivision 3a, the total payments from the ethanol development account to all producers may not exceed \$74,117,000 for the biennium ending June 30, 2001. If the total amount for which all producers are eligible in a quarter exceeds the amount available for payments, the commissioner shall make the payments on a pro rata basis. In fiscal year 2000, the commissioner shall first reimburse producers for eligible unpaid claims accumulated through June 30, 1999.

\$200,000 the first year is for a loan from the rural finance authority to an entity that develops a facility that uses poultry litter as a fuel for the generation of electricity. Principal and interest payments on the loan must be deposited in the general fund.

\$300,000 the first year is for an operating loan from the rural finance authority to a cooperative association organized under Minnesota Statutes, chapter 308A, for development and operation of a livestock packing plant. Principal and interest payments on the loan must be deposited in the general fund.

\$50,000 the first year is for the commissioner, in consultation with the commissioner of economic development, to conduct a study of the need for a commercial shipping port at which agricultural cooperatives or individual farmers would have access to port facilities.

\$300,000 the first year is for an operating loan from the rural finance authority to a cooperative association organized under Minnesota Statutes, chapter 308A, for development and operation of an alfalfa pelletizing plant. Principal and interest payments on the loan must be deposited in the general fund.

Notwithstanding the transfers from the ethanol development fund to the general fund required under Laws 1997, chapter 216, section 17, and Laws 1998, chapter 401, section 10, \$500,000 must be retained in the ethanol development fund until June 30, 2000. This sum is available for making one additional loan under Minnesota Statutes, section 41B.044. This provision is effective the day following final enactment.

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

\$1,500,000 the first year is for a grant to a qualified institution or organization to pursue further research on diseases of soybeans including, but not limited to, soybean cyst nematode (SCN), white mold (sclerotinia stem rot), phytophthora root rot (PRR), and iron deficiency chlorosis. \$300,000 of this appropriation may be designated for research on specialty gene traits of soybeans. This is a one-time appropriation.

\$100,000 the first year is for a grant to a qualified institution to fund research on turkey respiratory disease control and prevention. This appropriation is in addition to other public and nonpublic money for turkey research. This is a one-time appropriation.

\$100,000 the first year is for a grant to a qualified institution to fund research on potato aphids. This appropriation is in addition to other public and nonpublic money for potato aphid research. This is a one-time appropriation.

\$120,000 the first year is for a grant to the University of Minnesota extension service for its farm safety and health program. This is a one-time appropriation.

\$400,000 the first year and \$100,000 the second year are to establish an agricultural water quality and quantity management, research, demonstration, and education program. Of this biennial appropriation, \$250,000 is for projects at the Lamberton site and \$250,000 is for projects at the Waseca site. The commissioner may contract with the University of Minnesota or others for the implementation of parts of the program. If the appropriation for either is insufficient, the appropriation for the other year is available. This is a one-time appropriation.

\$500,000 the first year is for a grant to the University of Minnesota for the agricultural experiment stations. This amount must be distributed to the stations in equal amounts and must be used for agricultural crop and livestock research projects. This is a one-time appropriation.

\$300,000 the first year is for a grant to the Minnesota agriculture education leadership council for a planning grant for an urban agricultural high school. This appropriation is available until June 30, 2001. This is a one-time appropriation.

\$75,000 the first year and \$75,000 the second year are for grants to the Minnesota agriculture education leadership council for grants to schools and community organizations for agricultural education programs. This is a one-time appropriation.

\$900,000 the first year and \$462,000 the second year are to the commissioner of agriculture for programs to aggressively promote, develop, expand, and enhance the marketing of agricultural products from Minnesota producers and processors. The commissioner must enter into collaborative efforts with the department of trade and economic development, the world trade

APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000 2001

center corporation, and other public or private entities knowledgeable in market identification and development. The commissioner may also contract with or make grants to public or private organizations involved in efforts to enhance communication between producers and markets and organizations that identify, develop, and promote the marketing of Minnesota agricultural crops, livestock, and produce in local, regional, national, and international marketplaces. Grants may be provided to appropriate organizations including those functioning as marketing clubs, to a cooperative known as Minnesota Marketplace, and to recognized associations of producers or processors of organic foods or Minnesota grown specialty crops. Beginning October 15, 1999, and 15 days after the close of each calendar quarter thereafter, the commissioner shall provide to the senate and house committees with jurisdiction over agriculture policy and funding interim reports of the progress toward accomplishing the goals of this item. The commissioner shall deliver a final report on March 1, 2001. If the appropriation for either year is insufficient, the appropriation for the other year is available. This is a one-time appropriation that remains available until expended.

\$30,000 the first year is for staff support and other expenses of the roundtable to assess producer production contracts under section 67. This appropriation is available until June 30, 2001. This is a one-time appropriation.

\$40,000 the first year and \$10,000 the second year are for development of a site on the Internet for extending "Ag in the Classroom" information and materials and maintenance of the site. This is a one-time appropriation.

\$125,000 the first year and \$125,000 the second year are for a grant to the University of Minnesota to employ and support a senior researcher in plant genetics for additional research on the development of scab-resistant wheat varieties. This is a one-time appropriation.

\$400,000 the first year is for a grant to the Minnesota state colleges and universities for providing financial analysis assistance to farm operators who apply for farm operating loans. This is a one-time appropriation.

\$71,000 the first year and \$71,000 the second year are for transfer to the Minnesota grown matching account and may be used as grants for Minnesota grown promotion under Minnesota Statutes, section 17.109.

\$610,000 the first year and \$460,000 the second year are for continued research of solutions and alternatives for manure management and odor control. This is a one-time appropriation.

\$50,000 the first year and \$50,000 the second year are for beaver damage control grants for the purposes of Minnesota Statutes, section 17.110.



APPROPRIATIONS  
Available for the Year  
Ending June 30  
2000                      2001

\$267,000 the first year and \$200,000 the second year are for the dairy inspection account. Of the first year appropriation, up to \$50,000 is available for additional funding of beaver damage control grants. This is a one-time appropriation. By February 15, 2000, the commissioner shall review the fairness and equity of the fee structure for dairy inspections and report the findings to the legislature.

\$50,000 the first year is to complete a study of the business climate for dairy farmers. This is a one-time appropriation.

Sec. 3. BOARD OF ANIMAL HEALTH

2,985,000

3,039,000

\$118,000 each year is for a program to investigate the avian pneumovirus disease and to identify the infected flocks. This is a one-time appropriation.

\$150,000 the first year and \$150,000 the second year are additional money for a program to control paratuberculosis ("Johne's disease") in domestic bovine herds.

\$125,000 the first year and \$125,000 the second year are for pseudorabies control programs. This is a one-time appropriation.

Sec. 4. MINNESOTA HORTICULTURAL SOCIETY

82,000

82,000

Sec. 5. AGRICULTURAL UTILIZATION RESEARCH INSTITUTE

4,330,000

4,330,000

Summary by Fund

General	4,130,000	4,130,000
Special Revenue	200,000	200,000

\$200,000 each year shall be transferred from the department of agriculture's pesticide regulatory account in the special revenue fund for the pesticide reduction options program. This is a one-time appropriation. By January 15, 2000, the Agricultural Utilization Research Institute must report to the standing committees of the house and senate with jurisdiction over agricultural policy issues on the pesticide reduction options program.

The Agricultural Utilization Research Institute must collaborate with the commissioner of agriculture on issues of market development and technology transfer.

\$200,000 the first year and \$200,000 the second year are for hybrid tree management research and development of an implementation plan for establishing hybrid tree plantations in the state. This appropriation is available to the extent it is matched by \$2 of nonstate contributions, either cash or in kind, for each \$1 of state money.

The base funding for the Agricultural Utilization Research Institute in fiscal year 2002 and thereafter is reduced by \$73,000 each fiscal year.

Sec. 6. Minnesota Statutes 1998, section 17.115, subdivision 3, is amended to read:

Subd. 3. [AWARDING OF LOANS.] (a) Applications for loans must be made to the commissioner on forms prescribed by the commissioner.

(b) The applications must be reviewed, ranked, and recommended by a loan review panel appointed by the commissioner. The loan review panel shall consist of two lenders with agricultural experience, two resident farmers of the state using sustainable agriculture methods, two resident farmers of the state using organic agriculture methods, a farm management specialist, a representative from a post-secondary education institution, and a chair from the department.

(c) The loan review panel shall rank applications according to the following criteria:

- (1) realize savings to the cost of agricultural production and project savings to repay the cost of the loan;
- (2) reduce or make more efficient use of energy; and
- (3) reduce production costs.

(d) A loan application must show that the loan can be repaid by the applicant.

(e) The commissioner must consider the recommendations of the loan review panel and may make loans for eligible projects. Priority must be given based on the amount of savings realized by adopting the practice implemented by the loan.

Sec. 7. Minnesota Statutes 1998, section 17.116, subdivision 3, is amended to read:

Subd. 3. [AWARDING OF GRANTS.] (a) Applications for grants must be made to the commissioner on forms prescribed by the commissioner.

(b) The applications must be reviewed, ranked, and recommended by a technical review panel appointed by the commissioner. The technical review panel shall consist of a soil scientist, an agronomist, a representative from a post-secondary educational institution, two resident farmers of the state using sustainable agriculture methods, two resident farmers of the state using organic agriculture methods, and a chair from the department.

(c) The technical review panel shall rank applications according to the following criteria:

- (1) direct or indirect energy savings or production;
- (2) environmental benefit;
- (3) farm profitability;
- (4) the number of farms able to apply the techniques or the technology proposed;
- (5) the effectiveness of the project as a demonstration;
- (6) the immediate transferability of the project to farms; and
- (7) the ability of the project to accomplish its goals.

(d) The commissioner shall consider the recommendations of the technical review panel and may award grants for eligible projects. Priority must be given to applicants who are farmers or groups of farmers.

(e) Grants for eligible projects may not exceed \$25,000 unless the portion above \$25,000 is matched on an equal basis by the applicant's cash or in-kind land use contribution. Grant funding of projects may not exceed \$50,000 under this section, but applicants may utilize other funding sources. A portion of each grant must be targeted for public information activities of the project.

(f) A project may continue for up to three years. Multiyear projects must be reevaluated by the technical review panel and the commissioner before second or third year funding is approved. A project is limited to one grant for its funding.

Sec. 8. Minnesota Statutes 1998, section 17.136, is amended to read:

17.136 [ANIMAL FEEDLOTS; POLLUTION CONTROL; FEEDLOT AND MANURE MANAGEMENT ADVISORY COMMITTEE.]

(a) The commissioner of agriculture and the commissioner of the pollution control agency shall establish a feedlot and manure management advisory committee to identify needs, goals, and suggest policies for research, monitoring, and regulatory activities regarding feedlot and manure management. In establishing the committee, the commissioner shall give first consideration to members of the existing feedlot advisory group.

(b) The committee must include representation from beef, dairy, pork, chicken, and turkey producer organizations. The committee shall not exceed ~~18~~ 23 members, but, after June 30, ~~1997~~ 1999, must include representatives from at least four environmental organizations, eight livestock producers, ~~and~~ four experts in soil and water science, nutrient management, and animal husbandry, two commercial solid manure applicators who are not producers, two commercial liquid manure applicators who are not producers, and one member from an organization representing local units of government, and chairs of the senate and the house of representatives committees that deal with agricultural policy or the designees of the chairs. In addition, the departments of agriculture, health, and natural resources, the pollution control agency, board of water and soil resources, soil and water conservation districts, the federal Natural Resource Conservation Service, the association of Minnesota counties, and the Farm Service Agency shall serve on the committee as ex officio nonvoting members.

(c) The advisory committee shall elect a chair and a vice-chair from its members. The department and the agency shall provide staff support to the committee.

(d) The commissioner of agriculture and the commissioner of the pollution control agency shall consult with the advisory committee during the development of any policies, rules, or funding proposals or recommendations relating to feedlots or feedlot-related manure management.

(e) The commissioner of agriculture shall consult with the advisory committee on establishing a list of manure management research needs and priorities.

(f) The advisory committee shall advise the commissioners on other appropriate matters.

(g) Nongovernment members of the advisory committee shall receive expenses, in accordance with section 15.059, subdivision 6. The advisory committee expires on June 30, 2001.

Sec. 9. Minnesota Statutes 1998, section 17.451, subdivision 2, is amended to read:

Subd. 2. [FARMED CERVIDAE.] "Farmed cervidae" means members of the cervidae family that are:

(1) raised for the purpose of shooting, harvesting, producing fiber, meat, or animal by-products, as pets, or as breeding stock; and

(2) registered in a manner approved by the board of animal health.

Sec. 10. Minnesota Statutes 1998, section 17.452, subdivision 5, is amended to read:

Subd. 5. [RAISING FARMED CERVIDAE IS AN AGRICULTURAL PURSUIT.] Raising farmed cervidae is agricultural production and an agricultural pursuit, which may include the sale of farmed cervidae to a person for personal consumption. Personal consumption may include the harvesting of farmed cervidae by firearms or archery on a licensed shooting preserve.

Sec. 11. Minnesota Statutes 1998, section 17.452, subdivision 8, is amended to read:

Subd. 8. [SLAUGHTER.] Farmed cervidae that are to be sold for commercial meat purposes must be slaughtered and inspected in accordance with the United States Department of Agriculture voluntary program for exotic animals, Code of Federal Regulations, title 9, part 352.

Sec. 12. [17.4521] [CERVIDAE SHOOTING PRESERVES.]

Subdivision 1. [FEES FOR SHOOTING PRESERVES.] (a) The fee for a cervidae shooting preserve license is \$900 annually and will be deposited in the game and fish fund.

(b) Shooting preserve licenses issued under this subdivision expire on the last day of March.

Subd. 2. [SHOOTING PRESERVE APPLICATION.] The commissioner may license up to ten cervidae shooting preserves in the state. An application for a cervidae shooting preserve license must be filed with the commissioner. The application must include a legal description of the shooting preserve land, number of acres, species to be harvested, and other necessary information prescribed by the commissioner.

Subd. 3. [GAME AVAILABLE.] Game that may be released and harvested in a licensed cervidae shooting preserve must be specified in the license and are limited to species raised as farmed cervidae under sections 17.451 and 17.452. Only farmed cervidae from herds in the accredited program of the board of animal health may be transported to and released in a licensed cervidae shooting preserve.

Subd. 4. [LOCATION; SIZE OF PRESERVE.] A shooting preserve must be separated from any farmed cervidae breeding pens or pastures. A shooting preserve must be contiguous and contain at least 240 acres for elk and at least 120 acres for deer but no more than 960 acres, including any water area, and must have areas of cover to provide for concealment of the cervidae sufficient to prevent the cervidae from being visible in all parts of the preserve at one time and must afford cervidae the chance of escape from pursuit by patrons of the shooting preserve.

Subd. 5. [POSTING OF BOUNDARIES.] The boundaries of a shooting preserve must be clearly posted in a manner prescribed by the commissioner. The operator must post signs around the entire perimeter of the preserve at intervals not to exceed 500 feet.

Subd. 6. [FENCING AND ENCLOSURES.] All perimeter fencing must be paid for and maintained by the licensee and comply with farmed cervidae requirements in section 17.452.

Subd. 7. [REMOVAL OF ALL WILD CERVIDAE.] To the extent practicable, all wild cervidae must be removed from the shooting preserve property at the owner's expense prior to final issuance of the shooting preserve license. After the owner's removal efforts are completed, the commissioner shall determine the number and type of wild cervidae remaining on the shooting preserve property. The shooting preserve operator shall pay the restitution value, adopted under section 97A.345, for each wild cervidae remaining on the shooting preserve property. Money received under this subdivision shall be credited to the game and fish fund.

Subd. 8. [REVOCAION OF LICENSE.] The commissioner may revoke a shooting preserve license if the licensee or persons authorized to harvest in the shooting preserve have been convicted of a violation under this section. After revocation, a new license may be issued at the discretion of the commissioner.

Subd. 9. [HUNTING LICENSE NOT REQUIRED.] A hunting license is not required to harvest authorized species of cervidae on a licensed shooting preserve.

Subd. 10. [SEASON.] (a) The open season for harvesting in a shooting preserve is August 15 through March 31.

(b) The commissioner may restrict the open season after receiving a complaint, holding a public hearing, and finding that the population of a particular species of wild cervidae is harmed by harvesting in the shooting preserve.

Subd. 11. [WEAPONS LIMITATIONS.] A person may harvest farmed cervidae on a shooting preserve by archery or firearms authorized by law to take wild cervidae in the same area.

Subd. 12. [LICENSEE MAY ESTABLISH RESTRICTIONS.] A shooting preserve licensee is responsible for determining who is allowed to harvest in the preserve. In each preserve, the licensee may establish the charge for harvesting cervidae, the shooting hours, the season, weapon limitations, and restrictions on the age, sex, and number of each species that may be harvested by the hunter. These provisions may not conflict with this section and may not be less restrictive than any rule.

Subd. 13. [IDENTIFICATION AND MARKING OF CERVIDAE.] All cervidae must be identified by permanent tattoo, electronic implant, or other means of identification that comply with section 17.452.

Subd. 14. [MARKING HARVESTED CERVIDAE.] Harvested cervidae must be marked in accordance with or identified by the shooting preserve operator in a manner prescribed by the commissioner. The commissioner may issue the tags or other markings at a cost not to exceed \$2 each. The marking must remain attached on the cervidae while the cervidae is transported.

Subd. 15. [RECORDKEEPING.] A shooting preserve must maintain a registration book listing the names, addresses, and hunting license numbers, if applicable, of all patrons of the shooting preserve, the date when they harvested, the amount and species of cervidae taken, and the tag numbers or other markings affixed to each animal. A shooting preserve must keep records of the number of each species raised and purchased and the date and number of each species released. An annual report shall be made to the commissioner by the date herd registration is required. The records must be open to inspection by the commissioner at all reasonable times.

Sec. 13. Minnesota Statutes 1998, section 17.59, subdivision 5, is amended to read:

Subd. 5. [COMMODITIES RESEARCH AND PROMOTION ACCOUNT.] All fees collected by the department under sections 17.51 to 17.69 and any other fees and income received by the department in the administration of these statutes shall be deposited in a separate account known as the commodity research and promotion account in the special revenue fund. All money in the account, including interest, is appropriated to the commissioner to carry out the duties of sections 17.51 to 17.69.

Sec. 14. Minnesota Statutes 1998, section 17A.11, is amended to read:

17A.11 [FEES FOR LIVESTOCK WEIGHING.]

The commissioner shall prescribe the fee necessary to cover the cost of state weighing, to be assessed and collected from the seller in the manner the commissioner may prescribe. The fee assessed must be the same, and the manner of collection of the fee must be uniform at all facilities. At any location where state weighing is performed in accordance with this chapter and the total annual fees collected are insufficient to pay the cost of the weighing, the annual deficit shall be assessed and collected in the manner the commissioner may prescribe. Additional money arising from the weighing of animals by the commissioner, which has been collected and retained by any person, shall be paid on demand to the commissioner. All money collected by the commissioner shall be deposited in the state treasury and credited to the livestock weighing fund. All money in the fund is appropriated to the commissioner to carry out the duties of section 17A.10.

Sec. 15. Minnesota Statutes 1998, section 18B.05, subdivision 1, is amended to read:

Subdivision 1. [ESTABLISHMENT.] A pesticide regulatory account is established in the state treasury. Fees and penalties collected under this chapter must be deposited in the state treasury and credited to the pesticide regulatory account. All money in the account, including interest, is appropriated to the commissioner for the administration and enforcement of this chapter.

Sec. 16. Minnesota Statutes 1998, section 18B.26, subdivision 5, is amended to read:

Subd. 5. [REVIEW AND REGISTRATION.] (a) The commissioner may not deny the registration of a pesticide because the commissioner determines the pesticide is not essential.

(b) The commissioner shall review each application and may approve, deny, or cancel the registration of any pesticide. The commissioner may impose state use and distribution restrictions on a pesticide as part of the registration to prevent unreasonable adverse effects on the environment.

(c) The commissioner must notify the applicant of the approval, denial, cancellation, state use or distribution restrictions.

(d) The applicant may request a hearing on any adverse action of the commissioner within 30 days after being notified.

(e) The commissioner may exempt from the requirement of registration pesticides that have been deregulated or classified as minimum risk by the United States Environmental Protection Agency.

Sec. 17. Minnesota Statutes 1998, section 18C.131, is amended to read:

18C.131 [FERTILIZER INSPECTION ACCOUNT.]

A fertilizer inspection account is established in the state treasury. The fees collected under this chapter and interest attributable to money in the account must be deposited in the state treasury and credited to the fertilizer inspection account. All money in the account, including interest earned, is appropriated to the commissioner for the administration and enforcement of this chapter.

Sec. 18. Minnesota Statutes 1998, section 18E.02, subdivision 5, is amended to read:

Subd. 5. [ELIGIBLE PERSON.] "Eligible person" means:

(1) a responsible party or an owner of real property, but does not include the state, a state agency, a political subdivision of the state, except as provided in clause (2), the federal government, or an agency of the federal government;

(2) the owners of municipal airports ~~at Perham, Madison, and Hector,~~ in Minnesota where a licensed aerial pesticide applicator has caused an incident through storage, handling, or distribution operations for agricultural chemicals if (i) the commissioner has determined that corrective action is necessary and (ii) the commissioner determines, and the agricultural chemical response compensation board concurs, that based on an affirmative showing made by the owner, a responsible party cannot be identified or the identified responsible party is unable to comply with an order for corrective action; or

(3) a person involved in a transaction relating to real property who is not a responsible party or owner of the real property and who voluntarily takes corrective action on the property in response to a request or order for corrective action from the commissioner, ~~except an owner of a municipal airport not listed in clause (2).~~

## Sec. 19. [18E.035] [FINANCIAL SECURITY; MUNICIPAL AIRPORTS.]

Section 18E.02, subdivision 5, clause (2), does not prohibit the owner of a municipal airport from requiring financial security from an aerial pesticide applicator to cover any necessary corrective action.

Sec. 20. Minnesota Statutes 1998, section 21.115, is amended to read:

## 21.115 [FEES; SEED POTATO INSPECTION FUND.]

The commissioner shall fix the fees for all inspections and certifications in such amounts as from time to time may be found necessary to pay the expenses of carrying out and enforcing the purposes of sections 21.111 to 21.122, with a reasonable reserve, and shall require the same to be paid before such inspections or certifications are made. All moneys collected as fees or as penalties for violations of any of the provisions of such sections shall be paid into the state treasury and therein credited to the seed potato inspection fund of the commissioner, which fund is hereby created and appropriated for carrying out the purposes of sections 21.111 to 21.122. Interest, if any, received on deposits of these moneys shall be credited to such fund, and there shall be paid into this fund any sum provided by the legislature for the purpose of carrying out the provisions of such sections.

Sec. 21. Minnesota Statutes 1998, section 21.92, is amended to read:

## 21.92 [SEED INSPECTION FUND.]

There is established in the state treasury an account known as the seed inspection fund. Fees and penalties collected by the commissioner under sections 21.80 to 21.92 and interest attributable to money in the account shall be deposited into this account. The rates at which the fees are charged may be adjusted pursuant to section 16A.1285. Money in the account, including interest earned, is appropriated to the commissioner for the administration and enforcement of sections 21.80 to 21.92.

Sec. 22. Minnesota Statutes 1998, section 25.39, subdivision 4, is amended to read:

Subd. 4. [COMMERCIAL FEED INSPECTION ACCOUNT.] A commercial feed inspection account is established in the state treasury. Fees and penalties collected under sections 25.35 to 25.43 and interest attributable to money in the account must be deposited in the state treasury and credited to the commercial feed inspection account. Money in the account, including interest earned, is appropriated to the commissioner for the administration and enforcement of sections 25.341 to 25.43.

Sec. 23. Minnesota Statutes 1998, section 27.07, subdivision 6, is amended to read:

Subd. 6. [COOPERATIVE AGREEMENTS; FEES; ACCOUNT.] The commissioner may collect fees as provided for in cooperative agreements between the commissioner and the United States Department of Agriculture for the inspection of fresh fruits, vegetables, and other products. The fees and interest attributable to money in the account must be deposited in the state treasury and credited to a fruit and vegetables inspection account. Money in the account, including interest earned, is appropriated to the commissioner to administer the cooperative agreements.

Sec. 24. Minnesota Statutes 1998, section 28A.08, subdivision 3, is amended to read:

Subd. 3. [FEES EFFECTIVE JULY 1, ~~1996~~ 1999.]

Type of food handler	License Fee Effective July 1, <del>1996</del> 1999	Penalties	
		Late Renewal	No License
1. Retail food handler			
(a) Having gross sales of only prepackaged nonperishable food of less than \$15,000 for the immediately previous license or fiscal year and filing a statement with the commissioner	\$ <del>45</del> \$ <u>48</u>	\$ <del>15</del> \$ <u>16</u>	\$ <del>25</del> \$ <u>27</u>

(b) Having under \$15,000 gross sales including food preparation or having \$15,000 to \$50,000 gross sales for the immediately previous license or fiscal year	\$ 61 <u>\$ 65</u>	\$ 15 <u>\$ 16</u>	\$ 25 <u>\$ 27</u>
(c) Having \$50,000 to \$250,000 gross sales for the immediately previous license or fiscal year	\$118 <u>\$126</u>	\$ 35 <u>\$ 37</u>	\$ 75 <u>\$ 80</u>
(d) Having \$250,000 to \$1,000,000 gross sales for the immediately previous license or fiscal year	\$202 <u>\$216</u>	\$ 50 <u>\$ 54</u>	\$100 <u>\$107</u>
(e) Having \$1,000,000 to \$5,000,000 gross sales for the immediately previous license or fiscal year	\$562 <u>\$601</u>	\$100 <u>\$107</u>	\$175 <u>\$187</u>
(f) Having \$5,000,000 to \$10,000,000 gross sales for the immediately previous license or fiscal year	\$787 <u>\$842</u>	\$150 <u>\$161</u>	\$300 <u>\$321</u>
(g) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	\$899 <u>\$962</u>	\$200 <u>\$214</u>	\$350 <u>\$375</u>
2. Wholesale food handler			
(a) Having gross sales or service of less than \$25,000 for the immediately previous license or fiscal year	\$ 50 <u>\$ 54</u>	\$ 15 <u>\$ 16</u>	\$ 15 <u>\$ 16</u>
(b) Having \$25,000 to \$250,000 gross sales or service for the immediately previous license or fiscal year	\$225 <u>\$241</u>	\$ 50 <u>\$ 54</u>	\$100 <u>\$107</u>
(c) Having \$250,000 to \$1,000,000 gross sales or service from a mobile unit without a separate food facility for the immediately previous license or fiscal year	\$337 <u>\$361</u>	\$ 75 <u>\$ 80</u>	\$150 <u>\$161</u>
(d) Having \$250,000 to \$1,000,000 gross sales or service not covered under paragraph (c) for the immediately previous license or fiscal year	\$449 <u>\$480</u>	\$100 <u>\$107</u>	\$200 <u>\$214</u>
(e) Having \$1,000,000 to \$5,000,000 gross sales or service for the immediately previous license or fiscal year	\$562 <u>\$601</u>	\$125 <u>\$134</u>	\$250 <u>\$268</u>
(f) Having over \$5,000,000 gross sales for the immediately previous license or fiscal year	\$647 <u>\$692</u>	\$150 <u>\$161</u>	\$300 <u>\$321</u>

3. Food broker	<del>\$112</del> <u>\$120</u>	<del>\$30</del> <u>\$32</u>	<del>\$50</del> <u>\$54</u>
4. Wholesale food processor or manufacturer			
(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	<del>\$150</del> <u>\$161</u>	<del>\$50</del> <u>\$54</u>	<del>\$100</del> <u>\$107</u>
(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	<del>\$310</del> <u>\$332</u>	<del>\$75</del> <u>\$80</u>	<del>\$150</del> <u>\$161</u>
(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	<del>\$449</del> <u>\$480</u>	<del>\$100</del> <u>\$107</u>	<del>\$200</del> <u>\$214</u>
(d) Having \$1,000,001 to 5,000,000 gross sales for the immediately previous license or fiscal year	<del>\$562</del> <u>\$601</u>	<del>\$125</del> <u>\$134</u>	<del>\$250</del> <u>\$268</u>
(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	<del>\$647</del> <u>\$692</u>	<del>\$150</del> <u>\$161</u>	<del>\$300</del> <u>\$321</u>
(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	<del>\$900</del> <u>\$963</u>	<del>\$200</del> <u>\$214</u>	<del>\$350</del> <u>\$375</u>
5. Wholesale food processor of meat or poultry products under supervision of the U. S. Department of Agriculture			
(a) Having gross sales of less than \$125,000 for the immediately previous license or fiscal year	<del>\$100</del> <u>\$107</u>	<del>\$25</del> <u>\$27</u>	<del>\$50</del> <u>\$54</u>
(b) Having \$125,000 to \$250,000 gross sales for the immediately previous license or fiscal year	<del>\$169</del> <u>\$181</u>	<del>\$50</del> <u>\$54</u>	<del>\$75</del> <u>\$80</u>
(c) Having \$250,001 to \$1,000,000 gross sales for the immediately previous license or fiscal year	<del>\$253</del> <u>\$271</u>	<del>\$75</del> <u>\$80</u>	<del>\$125</del> <u>\$134</u>
(d) Having \$1,000,001 to \$5,000,000 gross sales for the immediately previous license or fiscal year	<del>\$310</del> <u>\$332</u>	<del>\$75</del> <u>\$80</u>	<del>\$150</del> <u>\$161</u>
(e) Having \$5,000,001 to \$10,000,000 gross sales for the immediately previous license or fiscal year	<del>\$366</del> <u>\$392</u>	<del>\$100</del> <u>\$107</u>	<del>\$175</del> <u>\$187</u>
(f) Having over \$10,000,000 gross sales for the immediately previous license or fiscal year	<del>\$500</del> <u>\$535</u>	<del>\$150</del> <u>\$161</u>	<del>\$250</del> <u>\$268</u>

6. Wholesale food manufacturer having the permission of the commissioner to use the name Minnesota Farmstead cheese	\$ 30	\$ 10	\$ 15
7. Nonresident frozen dairy manufacturer	\$200	\$ 50	\$ 75
8. Wholesale food manufacturer processing less than 700,000 pounds per year of raw milk	\$ 30	\$ 10	\$ 15
9. A milk marketing organization without facilities for processing or manufacturing that purchases milk from milk producers for delivery to a licensed wholesale food processor or manufacturer	\$ 50	\$ 15	\$ 25

Sec. 25. [28A.081] [CERTIFICATE FEES.]

A fee of \$75 for each certificate shall be charged to all food establishments that request certificates issued by the Minnesota department of agriculture to facilitate the movement of Minnesota processed and manufactured foods destined for export from the state of Minnesota. Certificates include, but are not limited to, certificates of free sale, certificates of export, certificates of sanitation, sanitary certificates, certificates of origin and/or free sale, certificates of health and/or free sale, sanitation, and purity, certificate of free trade, certificate of free sale, sanitation, purity, and origin, certificate of health, sanitation, purity, and free sale, and letter of plant certification.

A food establishment shall be billed within seven days for certificates issued. The food establishment must submit payment for certificates within ten days of the billing date. If certificate fee payments are not received within 15 days of the billing date, the department may not issue any future certificates until previous fees due are paid in full.

Sec. 26. Minnesota Statutes 1998, section 31.94, is amended to read:

31.94 [COMMISSIONER DUTIES.]

(a) The commissioner shall enforce sections 31.92 to 31.95. The commissioner shall withhold from sale or trade any product sold, labeled, or advertised in violation of sections 31.92 to 31.95.

(b) The commissioner shall investigate the offering for sale, labeling, or advertising of an article or substance as organically grown, organically processed, or produced in an organic environment if there is reason to believe that action is in violation of sections 31.92 to 31.95.

(c) The commissioner may adopt rules that further clarify organic food standards and marketing practices.

(d) In order to promote opportunities for organic agriculture in Minnesota, the commissioner shall:

(1) survey producers and support services and organizations to determine information and research needs in the area of organic agriculture practices;

(2) work with the University of Minnesota to demonstrate the on-farm applicability of organic agriculture practices to conditions in this state;

(3) direct the programs of the department so as to work toward the promotion of organic agriculture in this state;

(4) inform agencies of how state or federal programs could utilize and support organic agriculture practices; and

(5) work closely with farmers, the University of Minnesota, the Minnesota trade office, and other appropriate organizations to identify opportunities and needs as well as ensure coordination and avoid duplication of state agency efforts regarding research, teaching, and extension work relating to organic agriculture.

(e) By November 15 of each even-numbered year the commissioner, in conjunction with the task force created in section 31.95, subdivision 3a, shall report on the status of organic agriculture in Minnesota to the legislative policy and finance committees and divisions with jurisdiction over agriculture. The report must include:

(1) a description of current state or federal programs directed toward organic agriculture, including significant results and experiences of those programs;

(2) a description of specific actions the department of agriculture is taking in the area of organic agriculture, including the proportion of the department's budget spent on organic agriculture;

(3) a description of current and future research needs at all levels in the area of organic agriculture; and

(4) suggestions for changes in existing programs or policies or enactment of new programs or policies that will affect organic agriculture.

Sec. 27. Minnesota Statutes 1998, section 31.95, subdivision 3a, is amended to read:

Subd. 3a. [CERTIFICATION ORGANIZATIONS.] (a) A Minnesota grown organic product that is labeled "certified" must be certified by a designated certification organization.

(b) A certified organic product sold in this state must be certified by a designated certification organization or by a certification organization approved by the commissioner. Before approving a certification organization, the commissioner must seek the evaluation and recommendation of the Minnesota organic advisory task force.

(c) ~~The commissioner shall appoint a Minnesota organic advisory task force composed of members of the organic industry to advise the commissioner on organic issues. Members of the task force may not be paid compensation or costs for expenses to advise the commissioner on policies and practices to improve organic agriculture in Minnesota. The task force shall consist of the following residents of the state:~~

(1) three farmers using organic agriculture methods;

(2) one organic food retailer or distributor;

(3) one representative of organic food certification agencies;

(4) one organic food processor;

(5) one representative from the Minnesota extension service;

(6) one representative from an environmental nonprofit organization;

(7) two at-large members; and

(8) one representative from the agricultural utilization research institute. Terms, compensation, and removal of members are governed by section 15.059, subdivision 6. The task force must meet at least twice each year and expires on June 30, 2001.

Sec. 28. [31B.32] [DAILY PRICE REPORTS.]

(a) At the close of each business day on which a packer purchased or received on contract livestock for slaughter, the packer must report to the United States Department of Agriculture, agricultural marketing service, and the Minnesota commissioner of agriculture all prices paid for livestock under contract and through cash market sales during that business day, including:

- (1) the amount of the base price and a description of the formula used to establish that base price;
  - (2) a description of the types and amount of any premiums or discounts including, but not limited to, quality characteristics, grade and yield, volume, early delivery, percent lean, and transportation or acquisition cost savings to the packer; and
  - (3) the basis on which payment was made including live-weight, carcass weight, or value in the meat.
- (b) The commissioner shall make information reported by packers available to the public, through an electronic medium, on the day succeeding the day covered by the packer's report. The disclosure of information reported by the commissioner may be made only in a form that ensures that:

- (1) the identity of the parties involved in any transaction described in a report is not disclosed;
- (2) the identity of the packer submitting a report is not disclosed; and
- (3) the confidentiality of proprietary business information is otherwise protected.

Sec. 29. Minnesota Statutes 1998, section 32.21, subdivision 4, is amended to read:

Subd. 4. [PENALTIES.] (a) A person, other than a milk producer, who violates this section is guilty of a misdemeanor or subject to a civil penalty up to \$1,000.

(b) A milk producer may not change milk plants within 30 days, without permission of the commissioner, after receiving notification from the commissioner under paragraph (c) or (d) that the milk producer has violated this section.

(c) A milk producer who violates subdivision 3, clause (1), (2), (3), (4), or (5), is subject to clauses (1) to (3) of this paragraph.

(1) Upon notification of the first violation in a 12-month period, the producer must meet with the dairy plant field service representative to initiate corrective action within 30 days.

(2) Upon the second violation within a 12-month period, the producer is subject to a civil penalty of \$300. The commissioner shall notify the producer by certified mail stating the penalty is payable in 30 days, the consequences of failure to pay the penalty, and the consequences of future violations.

(3) Upon the third violation within a 12-month period, the producer is subject to an additional civil penalty of \$300 and possible revocation of the producer's permit or certification. The commissioner shall notify the producer by certified mail that all civil penalties owed must be paid within 30 days and that the commissioner is initiating administrative procedures to revoke the producer's permit or certification to sell milk for at least 30 days.

(d) The producer's shipment of milk must be immediately suspended if the producer is identified as an individual source of milk containing residues causing a bulk load of milk to test positive in violation of subdivision 3, clause (6) or (7). ~~Shipment may resume~~ The Grade A or manufacturing grade permit must be converted to temporary status for not more than 30 days and shipment may resume only after subsequent milk has been sampled by the commissioner or the commissioner's agent and found to contain no residues above established tolerances or safe levels.

~~The Grade A or manufacturing grade permit may be restored if the producer remains eligible only for manufacturing grade until the producer~~ completes the "Milk and Dairy Beef Residue Prevention Protocol" with a licensed veterinarian, displays the signed certificate in the milkhouse, and sends verification to the commissioner within the 30-day temporary permit status period. If the producer does not comply within the temporary permit status period, the Grade A or manufacturing grade permit must be suspended. A milk producer whose milk supply is in violation of subdivision 3, clause (6) or (7), and has caused a bulk load to test positive is subject to clauses (1) to (3) of this paragraph.

(1) For the first violation in a 12-month period, a dairy plant may collect from the responsible producer the value of the contaminated truck load of milk. If the amount collected by the plant is less than two days of milk production on that farm, then the commissioner must assess the difference as a civil penalty payable by the plant or marketing organization on behalf of the responsible producer.

(2) For the second violation in a 12-month period, a dairy plant may collect from the responsible producer the value of the contaminated truck load of milk. If the amount collected by the plant is less than four days of milk production on that farm, then the commissioner must assess the difference as a civil penalty payable by the plant or marketing organization on behalf of the responsible producer.

(3) For the third violation in a 12-month period, a dairy plant may collect from the responsible producer the value of the contaminated load of milk. If the amount collected by the plant is less than four days of milk production on that farm, then the commissioner must assess the difference as a civil penalty payable by the plant or marketing organization on behalf of the responsible producer. The commissioner shall also notify the producer by certified mail that the commissioner is initiating administrative procedures to revoke the producer's right to sell milk for a minimum of 30 days.

(4) If a bulk load of milk tests negative for residues and there is a positive producer sample on the load, no civil penalties may be assessed to the producer. The plant must report the positive result within 24 hours and reject further milk shipments from that producer until the producer's milk tests negative. The department shall suspend the producer's permit and count the violation on the producer's record. The producer remains eligible only for manufacturing grade until Grade A or manufacturing grade permit must be converted to temporary status for not more than 30 days during which time the producer reviews must review the "Milk and Dairy Beef Residue Prevention Protocol" with a licensed veterinarian, display the signed certificate in the milkhouse, and send verification to the commissioner. To maintain a permit or certification to market milk, this program must be reviewed within 30 days. If these conditions are met, the Grade A or manufacturing grade permit must be reinstated. If the producer does not comply within the temporary permit status period, the Grade A or manufacturing grade permit must be suspended.

(e) A milk producer that has been certified as completing the "Milk and Dairy Beef Residue Prevention Protocol" within 12 months of the first violation of subdivision 3, clause (7), need only review the cause of the violation with a field service representative within three days to maintain Grade A or manufacturing grade permit and shipping status if all other requirements of this section are met.

(f) Civil penalties collected under this section must be deposited in the milk inspection services account established in this chapter.

Sec. 30. Minnesota Statutes 1998, section 32.394, subdivision 9, is amended to read:

Subd. 9. [PAYMENTS; REFUNDS; DISPOSITION.] Fees are payable by a processor or marketing organization by July 1 of each year for Grade A, and by January 1 of each year for manufacturing grade, and if not paid within 30 days of the due date, the service must be discontinued, and permission to market manufacturing grade or Grade A milk or milk products or use the Grade A label must be withdrawn. A processor may terminate payment and service without loss of the Grade A label if written notice of that intention is given prior to the due date of the payment of an assessment and if the continuous inspection of the plant is assumed by a city whose milk control ordinance is substantially equivalent to Minnesota law and rule and is enforced with equal effectiveness. If a farm discontinues the production of milk within six months of the billing date, a request for a refund based on inspection services not received may be made by the processor or by the marketing organization on behalf of its patrons. This request must be made in writing by July 1 for manufacturing grade, or by December 31 for Grade A, and on approval by the commissioner refunds must be made to the processor or marketing organization.

The fees for services performed by the activities of this section must be deposited in the state treasury and constitute a separate account to be known as the dairy services account, which is hereby created. All money in the account, including interest earned, is appropriated to the commissioner to administer this chapter.

Sec. 31. Minnesota Statutes 1998, section 35.02, subdivision 1, is amended to read:

Subdivision 1. [MEMBERS; OFFICERS.] The board has five members appointed by the governor with the advice and consent of the senate, three of whom are producers of livestock in the state, and two of whom are practicing veterinarians licensed in Minnesota. The dean of the college of veterinary medicine of the University of Minnesota may serve as consultant to the board without vote. Appointments to fill unexpired terms must be made from the classes to which the retiring members belong. The board shall elect a president and a vice-president from among its members and a veterinarian licensed in Minnesota who is not a member to be its executive ~~secretary~~ director for a term of one year and until a successor qualifies. The board shall set the duties of the ~~secretary~~ director.

Sec. 32. Minnesota Statutes 1998, section 35.04, is amended to read:

35.04 [DUTY OF BOARDS OF HEALTH.]

Boards of health as defined in section 145A.02, subdivision 2, shall assist the board in the prevention, suppression, control, and eradication of contagious and infectious dangerous diseases among domestic animals when directed to do so by the ~~secretary~~ director or any member of the board. Two or more local boards may be required in emergencies to cooperate in giving assistance. The rules of the state board prevail over conflicting local board rules.

Sec. 33. Minnesota Statutes 1998, section 35.05, is amended to read:

35.05 [AUTHORITY OF STATE BOARD.]

(a) The state board may quarantine or kill any domestic animal infected with, or which has been exposed to, a contagious or infectious dangerous disease if it is necessary to protect the health of the domestic animals of the state.

(b) The board may regulate or prohibit the arrival in and departure from the state of infected or exposed animals and, in case of violation of any rule or prohibition, may detain any animal at its owner's expense. The board may regulate or prohibit the importation of domestic animals which, in its opinion, may injure the health of Minnesota livestock.

(c) The board may implement the United States, Voluntary Johne's Disease Herd Status Program for cattle.

(d) Rules adopted by the board under authority of this chapter must be published in the State Register.

Sec. 34. Minnesota Statutes 1998, section 35.08, is amended to read:

35.08 [KILLING OF DISEASED ANIMALS.]

If the board decides upon the killing of an animal affected with tuberculosis, paratuberculosis, or brucellosis, it shall notify the animal's owner or keeper of the decision. If the board, through its executive ~~secretary~~ director, orders that an animal may be transported for immediate slaughter to any abattoir where the meat inspection division of the United States Department of Agriculture maintains inspection, or where the animal and plant health inspection service of the United States Department of Agriculture or the board establishes field postmortem inspection, the owner must receive the value of the net salvage of the carcass.

Before the animal is removed from the premises of the owner, the representative or authorized agent of the board must agree with the owner in writing as to the value of the animal. In the absence of an agreement, three competent, disinterested persons, one appointed by the board, one by the owner, and a third by the first two, shall appraise the animal at its full replacement cost taking into consideration the purpose and use of the animal.

The appraisal made under this section must be in writing, signed by the appraisers, and certified by the board to the commissioner of finance, who shall draw a warrant on the state treasurer for the amount due the owner.

Sec. 35. Minnesota Statutes 1998, section 35.09, subdivision 2, is amended to read:

Subd. 2. [EXCEPTIONS.] The owner of an animal is entitled to the indemnity provided in subdivision 1, except in the following cases:

- (1) steers;
- (2) animals which have not been kept in good faith for one year or since their birth in the state;
- (3) animals brought into the state, contrary to law or rules of the board;
- (4) animals diseased on arrival in the state;
- (5) animals belonging to the United States;
- (6) animals belonging to institutions maintained by the state, a county, or a municipality;
- (7) animals which the owner or claimant knew or should have known were diseased at the time they were acquired;
- (8) animals exposed to brucellosis through the owner's negligence;
- (9) animals which have been injected with brucellosis vaccine, bacterin, or other preparations made from or through the agency of Brucella Microorganisms unless it was done in compliance with the rules of the board;
- (10) animals belonging to a person who has received indemnity as a result of a former inspection or tests and has then introduced into the same herd any animals which have not passed the tuberculin or brucellosis test;
- (11) animals if the owner, agent, or person in possession of them has not complied with the rules of the board with respect to condemned animals;
- (12) condemned animals which are not destroyed within 15 days after the date of appraisal, or for which the owner refuses to sign the appraisal or report of the members of the appraisal board, except that in extraordinary circumstances and in meritorious cases and at the discretion of the executive ~~secretary~~ director of the board the time limit of 15 days may be extended an additional 15 days if the owner receives permission from the executive ~~secretary~~ director within 15 days of the date of appraisal;
- (13) livestock affected with tuberculosis, paratuberculosis, or brucellosis unless the entire herd of which the affected livestock is a part, or from which the affected livestock has originated, is examined and tested under the supervision of the board, in order to determine if they are free from the disease;
- (14) livestock affected with tuberculosis, paratuberculosis, or brucellosis unless the owner has carried out the instructions of the board relating to cleaning, disinfection, and rendering the stables and premises in a sanitary condition within 15 days of the time of removal of the animals from the premises, except when, because of inclement weather or other extenuating circumstances, the time is extended by the executive ~~secretary~~ director of the board;
- (15) livestock affected with tuberculosis, paratuberculosis, or brucellosis, if the owner has fed milk or milk products derived from creameries which was not pasteurized as required by state laws; and
- (16) animals owned by a nonresident if neither the owner nor the owner's agent breed livestock in Minnesota.

If, at any time, the annual appropriation for payment of indemnities becomes exhausted as a result of condemnation and slaughter of animals, the board shall discontinue making further official tests or authorizing tests unless an owner signs a waiver on blanks furnished by the board of payment of indemnity for any animals that may be condemned as the result of a test and inspection which releases the state from any obligation to pay indemnity from any future appropriation.

Sec. 36. Minnesota Statutes 1998, section 35.09, subdivision 2a, is amended to read:

Subd. 2a. [NONREACTORS; CATTLE INELIGIBLE FOR TEST.] The board may condemn and appraise nonreactors to the brucellosis test and exposed cattle not eligible to be tested from herds affected with brucellosis and may pay the owner the difference between the appraisal value and the salvage value up to \$300 for grade animals or \$600 for purebred registered animals if the board through its executive secretary director has determined according to criteria adopted by the board that herd depopulation is essential to the goal of bovine brucellosis eradication. Indemnity payable by the state must be reduced by the amount paid by the United States Department of Agriculture. No indemnity may be paid for steers.

Sec. 37. Minnesota Statutes 1998, section 35.67, is amended to read:

35.67 [RABIES INVESTIGATION.]

If the executive secretary director of the board of animal health, or a board of health as defined in section 145A.02, subdivision 2, receives a written complaint that rabies exists in a town or city in the board's jurisdiction, the board of health shall investigate, either personally or through subordinate officers, the truth of the complaint. A board of health may also make an investigation and determination independently, without having received a complaint. The fact that a board of health has investigated and determined that rabies does not exist in a jurisdiction does not deprive the executive secretary director of the board of animal health of jurisdiction or authority to make an investigation and determination with reference to the territory. For the purposes of sections 35.67 to 35.69, the jurisdiction of the executive secretary director of the board of animal health is the entire state.

Sec. 38. Minnesota Statutes 1998, section 35.68, is amended to read:

35.68 [RABIES PROCLAMATION.]

If a board of health as defined in section 145A.02, subdivision 2, investigates and finds that rabies does exist in a town or city the board of health shall make and file a proclamation of the investigation and determination which prohibits the owner or custodian of any dog from allowing the dog to be at large within the town or city unless the dog is effectively muzzled so that it cannot bite any other animal or person.

If the executive secretary director of the board of animal health, after investigation, has determined that rabies exists in any territory in the state, similar proclamations must be issued in all towns and cities within the territory or area in which it is necessary to control the outbreak and prevent the spread of the disease. The proclamation must prohibit the owner or custodian of any dog within the designated territory from permitting or allowing the dog to be at large within the territory unless the dog is effectively muzzled so that it cannot bite any other animal or person.

All local peace officers and boards of health shall enforce sections 35.67 to 35.69.

A proclamation issued by the board of health must be filed with the clerk of the political subdivision responsible for the board of health. One issued by the executive secretary director of the board of animal health must be filed with the clerk of each town and city within the territory it covers.

Each officer with whom the proclamation is filed shall publish a copy of it in one issue of a legal newspaper published in the clerk's town or city if one is published there. If no newspaper is published there, the clerk must post a copy of the proclamation in three public places. Publication is at the expense of the municipality.

Proof of publication must be by affidavit of the publisher and proof of posting must be by the person doing the posting. The affidavit must be filed with the proclamation. The proclamation is effective five days after the publication or posting and remains effective for the period of time not exceeding six months specified in it by the board of health making the proclamation.

Sec. 39. Minnesota Statutes 1998, section 35.82, subdivision 1b, is amended to read:

Subd. 1b. [CARCASSES FOR PET OR MINK FOOD.] (a) The board, through its executive ~~secretary~~ director, may issue a permit to the owner or operator of a pet food processing establishment, a mink rancher, or a supplier of an establishment, located within the boundaries of Minnesota, to transport the carcasses of domestic animals that have died or have been killed, other than by being slaughtered for human or animal consumption, over the public highways to the establishment for pet food or mink food purposes only. The owners and operators of pet food processing establishments or their suppliers and mink ranch operators located in any adjacent state with which a reciprocal agreement is in effect under subdivision 3 are not required to possess a permit issued under this subdivision. The permit is valid for one year following the date of issue unless it is revoked.

(b) The owner or operator of a pet food processing plant or mink ranch shall employ an official veterinarian. A veterinarian named in the permit application who is accepted by the board to act as the official veterinarian is authorized to act as its representative.

(c) Carcasses collected by owners or operators under permit may be used for pet food or mink food purposes if the official veterinarian examines them and finds them suitable for pet food or mink food purposes.

(d) Carcasses not passed by the official veterinarian for pet food or mink food purposes must be disposed of by a rendering plant operating under permit from the board.

(e) The board must require pet food processing establishments, owners and operators of mink ranches, and suppliers of these establishments to conform to rules of the board applicable to rendering plants within the state.

Sec. 40. Minnesota Statutes 1998, section 35.82, subdivision 2, is amended to read:

Subd. 2. [DISPOSITION OF CARCASSES.] (a) Except as provided in subdivision 1b and paragraph (d), every person owning or controlling any domestic animal that has died or been killed otherwise than by being slaughtered for human or animal consumption, shall as soon as reasonably possible bury the carcass at a depth adequate to prevent scavenging by other animals in the ground or thoroughly burn it or dispose of it by another method approved by the board as being effective for the protection of public health and the control of livestock diseases. The board, through its executive ~~secretary~~ director, may issue permits to owners of rendering plants located in Minnesota which are operated and conducted as required by law, to transport carcasses of domestic animals and fowl that have died, or have been killed otherwise than by being slaughtered for human or animal consumption, over the public highways to their plants for rendering purposes in accordance with the rules adopted by the board relative to transportation, rendering, and other provisions the board considers necessary to prevent the spread of disease. The board may issue permits to owners of rendering plants located in an adjacent state with which a reciprocal agreement is in effect under subdivision 3.

(b) Carcasses collected by rendering plants under permit may be used for pet food or mink food if the owner or operator meets the requirements of subdivision 1b.

(c) An authorized employee or agent of the board may enter private or public property and inspect the carcass of any domestic animal that has died or has been killed other than by being slaughtered for human or animal consumption. Failure to dispose of the carcass of any domestic animal within the period specified by this subdivision is a public nuisance. The board may petition the district court of the county in which a carcass is located for a writ requiring the abatement of the public nuisance. A civil action commenced under this paragraph does not preclude a criminal prosecution under this section. No person may sell, offer to sell, give away, or convey along a public road or on land the person does not own, the carcass of a domestic animal when the animal died or was killed other than by being slaughtered for human or animal consumption unless it is done with a special permit pursuant to this section. The carcass or parts of a domestic animal that has died or has been killed other than by being slaughtered for human or animal consumption may be transported along a public road for a medical or scientific purpose if the carcass is enclosed in a leakproof container to prevent spillage or the dripping of liquid waste. The board may adopt rules relative to the transportation of the carcass of any domestic animal for a medical or scientific purpose. A carcass on a public thoroughfare may be transported for burial or other disposition in accordance with this section.

No person who owns or controls diseased animals shall negligently or willfully permit them to escape from that control or to run at large.

(d) A sheep producer may compost sheep carcasses owned by the producer on the producer's land without a permit and is exempt from compost facility specifications contained in rules of the board.

(e) The board shall develop best management practices for dead animal disposal and the pollution control agency feedlot program shall distribute them to livestock producers in the state.

Sec. 41. Minnesota Statutes 1998, section 35.82, subdivision 3, is amended to read:

Subd. 3. [RECIPROCITY.] The executive ~~secretary~~ director of the board may enter into a reciprocal agreement on behalf of this state with an adjacent state which provides for permits to be issued to rendering plants, pet food processing establishments or suppliers of establishments, and mink ranch operators located in either state to transport carcasses to their plants, establishments, or ranches over the public highways of this state and the reciprocating state.

This subdivision applies if the adjacent state has in effect standards and requirements which are the equivalent of the standards and requirements of this state as established by the board.

Sec. 42. Minnesota Statutes 1998, section 35.92, subdivision 5, is amended to read:

Subd. 5. [SUBPOENAS.] The board of animal health through its executive ~~secretary~~ director may issue subpoenas to compel the attendance of witnesses or submission of books, documents, and records affecting the authority or privilege granted by a license, registration, certification, or permit issued under this chapter or by the board or issued by the commissioner of agriculture if agreed to by the commissioner.

Sec. 43. Minnesota Statutes 1998, section 35.93, subdivision 1, is amended to read:

Subdivision 1. [ADMINISTRATIVE REMEDIES.] The board of animal health may seek to remedy violations by authorizing the executive ~~secretary~~ director to issue a written warning, administrative meeting, cease and desist, stop-sale, or other special order, seizure, stipulation, or agreement, if the board determines that the remedy is in the public interest.

Sec. 44. Minnesota Statutes 1998, section 41A.09, subdivision 3a, is amended to read:

Subd. 3a. [PAYMENTS.] (a) The commissioner of agriculture shall make cash payments to producers of ethanol, anhydrous alcohol, and wet alcohol located in the state. These payments shall apply only to ethanol, anhydrous alcohol, and wet alcohol fermented in the state and produced at plants that have begun production by June 30, 2000. For the purpose of this subdivision, an entity that holds a controlling interest in more than one ethanol plant is considered a single producer. The amount of the payment for each producer's annual production is:

(1) except as provided in paragraph (b), for each gallon of ethanol or anhydrous alcohol produced on or before June 30, 2000, or ten years after the start of production, whichever is later, 20 cents per gallon; and

(2) for each gallon produced of wet alcohol on or before June 30, 2000, or ten years after the start of production, whichever is later, a payment in cents per gallon calculated by the formula "alcohol purity in percent divided by five," and rounded to the nearest cent per gallon, but not less than 11 cents per gallon.

The producer payments for anhydrous alcohol and wet alcohol under this section may be paid to either the original producer of anhydrous alcohol or wet alcohol or the secondary processor, at the option of the original producer, but not to both.

(b) If the level of production at an ethanol plant increases due to an increase in the production capacity of the plant and the increased production begins by June 30, 2000, the payment under paragraph (a), clause (1), applies to the additional increment of production until ten years after the increased production began. Once a plant's production capacity reaches 15,000,000 gallons per year, no additional increment will qualify for the payment.

(c) The commissioner shall make payments to producers of ethanol or wet alcohol in the amount of 1.5 cents for each kilowatt hour of electricity generated using closed-loop biomass in a cogeneration facility at an ethanol plant located in the state. Payments under this paragraph shall be made only for electricity generated at cogeneration facilities that begin operation by June 30, 2000. The payments apply to electricity generated on or before the date ten years after the producer first qualifies for payment under this paragraph. Total payments under this paragraph in any fiscal year may not exceed \$750,000. For the purposes of this paragraph:

(1) "closed-loop biomass" means any organic material from a plant that is planted for the purpose of being used to generate electricity or for multiple purposes that include being used to generate electricity; and

(2) "cogeneration" means the combined generation of:

(i) electrical or mechanical power; and

(ii) steam or forms of useful energy, such as heat, that are used for industrial, commercial, heating, or cooling purposes.

(d) ~~Except for new production capacity approved under paragraph (i), clause (1);~~ The total payments under paragraphs (a) and (b) to all producers may not exceed ~~\$34,000,000~~ \$38,000,000 in a fiscal year. Total payments under paragraphs (a) and (b) to a producer in a fiscal year may not exceed \$3,000,000.

(e) By the last day of October, January, April, and July, each producer shall file a claim for payment for ethanol, anhydrous alcohol, and wet alcohol production during the preceding three calendar months. A producer with more than one plant shall file a separate claim for each plant. A producer shall file a separate claim for the original production capacity of each plant and for each additional increment of production that qualifies under paragraph (b). A producer that files a claim under this subdivision shall include a statement of the producer's total ethanol, anhydrous alcohol, and wet alcohol production in Minnesota during the quarter covered by the claim, including anhydrous alcohol and wet alcohol produced or received from an outside source. A producer shall file a separate claim for any amount claimed under paragraph (c). For each claim and statement of total ethanol, anhydrous alcohol, and wet alcohol production filed under this subdivision, the volume of ethanol, anhydrous alcohol, and wet alcohol production or amounts of electricity generated using closed-loop biomass must be examined by an independent certified public accountant in accordance with standards established by the American Institute of Certified Public Accountants.

(f) Payments shall be made November 15, February 15, May 15, and August 15. A separate payment shall be made for each claim filed. The total quarterly payment to a producer under this paragraph, excluding amounts paid under paragraph (c), may not exceed \$750,000. ~~Except for new production capacity approved under paragraph (i), clause (1);~~ If the total amount for which all ~~other~~ producers are eligible in a quarter under paragraphs (a) and (b) exceeds ~~\$8,500,000~~ \$10,000,000, the commissioner shall make payments for production capacity that is subject to this restriction in the order in which the portion of production capacity covered by each claim went into production.

(g) If the total amount for which all producers are eligible in a quarter under paragraph (c) exceeds the amount available for payments, the commissioner shall make payments in the order in which the plants covered by the claims began generating electricity using closed-loop biomass.

(h) After July 1, 1997, new production capacity is only eligible for payment under this subdivision if the commissioner receives:

(1) an application for approval of the new production capacity;

(2) an appropriate letter of long-term financial commitment for construction of the new production capacity; and

(3) copies of all necessary permits for construction of the new production capacity.

The commissioner may approve new production capacity based on the order in which the applications are received.

(i) After April 22, 1998, the commissioner may only approve: ~~(1) up to 12,000,000 gallons of new production capacity at one plant that has not previously received approval or payment for any production capacity, or (2) new production capacity at approved or existing plants not to exceed planned expansions reported to the commissioner by February 1997~~ 1999. The commissioner may not approve any new production capacity after July 1, ~~1998~~ 1999.

(j) For the purposes of this subdivision "new production capacity" means annual ethanol production capacity that was not allowed under a permit issued by the pollution control agency prior to July 1, 1997, or for which construction did not begin prior to July 1, 1997.

Sec. 45. Minnesota Statutes 1998, section 41D.02, subdivision 2, is amended to read:

Subd. 2. ELEMENTARY AND SECONDARY AGRICULTURAL EDUCATION.] The council may provide grants for:

- (1) planning and establishment costs for elementary and secondary agriculture education programs;
- (2) new instructional and communication technologies; and
- (3) curriculum updates.

Sec. 46. Minnesota Statutes 1998, section 103F.515, subdivision 2, is amended to read:

Subd. 2. ELIGIBLE LAND.] (a) Land may be placed in the conservation reserve program if the land meets the requirements of paragraphs (b) and (c).

(b) Land is eligible if the land:

- (1) is marginal agricultural land;
- (2) is adjacent to marginal agricultural land and is either beneficial to resource protection or necessary for efficient recording of the land description;
- (3) consists of a drained wetland;
- (4) is land that with a windbreak would be beneficial to resource protection;
- (5) is land in a sensitive groundwater area;
- (6) is riparian land;
- (7) is cropland or noncropland adjacent to restored wetlands to the extent of up to four acres of cropland or one acre of noncropland for each acre of wetland restored;
- (8) is a woodlot on agricultural land;
- (9) is abandoned building site on agricultural land, provided that funds are not used for compensation of the value of the buildings; or
- (10) is land on a hillside used for pasture.

(c) Eligible land under paragraph (a) must:

- (1) be owned by the landowner, or a parent or other blood relative of the landowner, for at least one year before the date of application;

(2) be at least five acres in size, except for a drained wetland area, riparian area, windbreak, woodlot, or abandoned building site, or be a whole field as defined by the United States Agricultural Stabilization and Conservation Services;

(3) not be set aside, enrolled or diverted under another federal or state government program unless enrollment in the conservation reserve program would provide additional conservation benefits or a longer term of enrollment than under the current federal or state program; and

(4) have been in agricultural crop production for at least two of the last five years before the date of application except drained wetlands, riparian lands, woodlots, abandoned building sites, or land on a hillside used for pasture.

(d) In selecting drained wetlands for enrollment in the program, the highest priority must be given to wetlands with a cropping history during the period 1976 to 1985.

(e) In selecting land for enrollment in the program, highest priority must be given to permanent easements that are consistent with the purposes stated in section 103F.505.

Sec. 47. Minnesota Statutes 1998, section 156.001, subdivision 2, is amended to read:

Subd. 2. [ACCREDITED OR APPROVED COLLEGE OF VETERINARY MEDICINE.] "Accredited or approved college of veterinary medicine" means a veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and that conforms to the standards required for accreditation or approval by the American Veterinary Medical Association Council on Education.

Sec. 48. Minnesota Statutes 1998, section 156.001, subdivision 3, is amended to read:

Subd. 3. [ANIMAL.] "Animal" does not include poultry ~~or birds of any kind~~.

Sec. 49. Minnesota Statutes 1998, section 156.001, is amended by adding a subdivision to read:

Subd. 5a. [FIRM.] "Firm" includes a corporation, limited liability company, and limited liability partnership, wherever incorporated, organized, or registered.

Sec. 50. Minnesota Statutes 1998, section 156.01, subdivision 3, is amended to read:

Subd. 3. [OFFICERS.] The board shall elect from its number a president and such other officers as are necessary, all from within its membership. One person may hold the offices of both secretary and treasurer. The board shall have a seal and the power to subpoena witnesses, to administer oaths, and take testimony. It shall make, alter, or amend ~~such rules as may be that are necessary to carry this chapter into effect the provisions of this chapter~~. It shall hold examinations for applicants for license to engage in veterinary practice at a time and place of its own choosing. Notice of ~~such an~~ examination ~~shall~~ must be posted 90 days before the date set for ~~an~~ the examination in all veterinary schools approved by the board in the state, and ~~shall~~ must be published in the ~~journal of the American Veterinary Medical Association~~. American Association of Veterinary State Boards "Directory of Veterinary Licensure Requirements." The board may hold ~~such~~ other meetings ~~as~~ it deems necessary; but no meeting shall exceed three days duration.

Sec. 51. Minnesota Statutes 1998, section 156.02, subdivision 1, is amended to read:

Subdivision 1. [LICENSE APPLICATION.] Application for a license to practice veterinary medicine in this state shall be made in writing to the board of veterinary medicine upon a form furnished by the board, accompanied by satisfactory evidence that the applicant is at least 18 years of age, is of good moral character, and has one of the following:

(1) a diploma conferring the degree of doctor of veterinary medicine, or an equivalent degree, from an accredited or approved college of veterinary medicine;

(2) an ECFVG certificate; or

(3) a certificate from the dean of an accredited or approved college of veterinary medicine stating that the applicant is a student in good standing expecting to be graduated at the completion of the current academic year of the college in which the applicant is enrolled.

The application shall contain the information and material required by subdivision 2 and any other information that the board may, in its sound judgment, require. The application shall be filed with the board at least ~~45~~ 60 days before the date of the examination. If the board deems it advisable, it may require that such application be verified by the oath of the applicant.

Sec. 52. Minnesota Statutes 1998, section 156.02, subdivision 2, is amended to read:

Subd. 2. [REQUIRED WITH APPLICATION.] Every application shall contain the following information and material:

(1) the application fee set by the board in the form of a check or money order payable to the board, which fee is not returnable in the event permission to take the examination is denied for good cause;

(2) a copy of a diploma from an accredited or approved college of veterinary medicine or a certificate from the dean or secretary of an accredited or approved college of veterinary medicine showing the time spent in the school and the date when the applicant was duly and regularly graduated or will duly and regularly graduate or verification of ECFVG certification;

(3) affidavits of at least two veterinarians and three adults who are not related to the applicant setting forth how long a time, when, and under what circumstances they have known the applicant, and any other facts as may be proper to enable the board to determine the qualifications of the applicant; and

(4) if the applicant has served in the armed forces, a copy of discharge papers.

Sec. 53. Minnesota Statutes 1998, section 156.03, is amended to read:

156.03 [EXAMINATION; PAYMENT.]

Upon filing the application and any other papers, affidavits, or proof that the board of veterinary medicine may require, together with the payment to the board of a fee as set by the board, the board, if satisfied, shall issue to the applicant for license an order for examination. Every applicant for a license shall submit to a theoretical or practical examination, or both, as designated by the board. The examination may be oral, or written, or both of the application fee and appropriate examination fee as set by the board, the board shall issue to the applicant a permit to take the national examination in veterinary medicine and the Minnesota Veterinary Jurisprudence Examination. All applicants must be evaluated using an examination prescribed by the board. A passing score for the national examination must be the criterion referenced passing score as determined by the National Board Examination Committee.

Sec. 54. Minnesota Statutes 1998, section 156.072, is amended to read:

156.072 [NONRESIDENTS; LICENSES.]

Subdivision 1. [APPLICATION.] A doctor of veterinary medicine duly admitted to practice in any ~~of the other states or territories or District of Columbia~~ state, commonwealth, territory, or district of the United States or province of Canada desiring permission to practice veterinary medicine in this state shall submit an application to the board upon forms prescribed by the board. Upon proof of licensure to practice in any ~~other state or territory or in the District of Columbia~~ United States or Canadian jurisdiction and having been actively engaged in practicing veterinary medicine therein, for at least three of the five years next preceding the application, or having been engaged

in full time teaching of veterinary medicine in an approved or accredited college for at least three of the five years next preceding the application, or any combination thereof, the national examination in veterinary medicine may be waived, upon the recommendation of the board, and the applicant be admitted to practice without examination. However, the board may impose any other ~~tests as~~ examinations it considers proper.

Subd. 2. [REQUIRED WITH APPLICATION.] Such doctor of veterinary medicine shall accompany the application by the following:

(1) a copy of a diploma from an accredited or approved college of veterinary medicine or certification from the dean, registrar, or secretary of an accredited or approved college of veterinary medicine attesting to the applicants graduation from an accredited or approved college of veterinary medicine, or a certificate of satisfactory completion of the ECFVG program.

(2) ~~affidavits of two licensed practicing doctors of veterinary medicine of the state, territory or District of Columbia so certifying residing in the United States or Canadian licensing jurisdiction in which the applicant is currently practicing, attesting that they are well acquainted with such the applicant, that the applicant is a person of good moral character, and has been actively engaged in practicing or teaching as the case may be in such state, territory, or District of Columbia jurisdiction for the period above prescribed;~~

~~(3)~~ (3) a certificate from the regulatory agency having jurisdiction over the conduct of practice of veterinary medicine that such applicant is in good standing and is not the subject of disciplinary action or pending disciplinary action;

~~(4)~~ (4) a certificate from all other jurisdictions in which the applicant holds a currently active license or held a license within the past ten years, stating that the applicant is and was in good standing and has not been subject to disciplinary action; ~~and~~

~~(5)~~ (5) in lieu of clauses (3) and (4), certification from the Veterinary Information Verification Agency that the applicant's licensure is in good standing;

(6) a fee as set by the board in form of check or money order payable to the board, no part of which shall be refunded should the application be denied;

(7) score reports on previously taken national examinations in veterinary medicine, certified by the Veterinary Information Verification Agency; and

(8) if requesting waiver of examination, provide evidence of meeting licensure requirements in the state of the applicant's original licensure that were substantially equal to the requirements for licensure in Minnesota in existence at that time.

Subd. 3. [EXAMINATION.] A doctor of veterinary medicine duly admitted to practice in any ~~of the other states or territories or in the District of Columbia~~ state, commonwealth, territory, or district of the United States or province of Canada desiring admission to practice in this state but who has not been actively engaged in the practice thereof for at least three of the preceding five years must be examined for admission in accordance with the requirements prescribed herein for those not admitted to practice anywhere.

Subd. 4. [TEMPORARY PERMIT.] The board may issue without examination a temporary permit to practice veterinary medicine in this state to a person who has submitted an application approved by the board for license pending examination, and holds a doctor of veterinary medicine degree or an equivalent degree from an approved or accredited ~~veterinary~~ college of veterinary medicine or an ECFVG certification. The temporary permit shall expire the day after publication of the notice of results of the first examination given after the permit is issued. No temporary permit may be issued to any applicant who has previously failed the national examination in this state or in any other state, territory, or district of the United States or a foreign country and is currently not licensed in any licensing jurisdiction of the United States or Canada or to any person whose license has been revoked or suspended or who is currently subject to a disciplinary order in any licensing jurisdiction of the United States or Canada.

## Sec. 55. [156.074] [TEMPORARY LICENSE.]

A graduate of a nonaccredited or approved college of veterinary medicine, who has satisfactorily completed the fourth year of clinical study at an approved or accredited college of veterinary medicine and has successfully passed the national examination in veterinary medicine and the Minnesota Veterinary Jurisprudence Examination, and is enrolled in the ECFVG program, may be granted a temporary license. The holder of a temporary license issued under these provisions must practice under the supervision of a Minnesota licensed veterinarian. The temporary license is valid until the candidate obtains ECFVG certification or for a maximum of two years from the date of issue.

Sec. 56. Minnesota Statutes 1998, section 156.10, is amended to read:

156.10 [UNLAWFUL PRACTICE WITHOUT LICENSE OR PERMIT; GROSS MISDEMEANOR.]

~~It shall be unlawful~~ is a gross misdemeanor for any person to practice veterinary medicine in the state without having first secured a veterinary license or temporary permit, as provided in this chapter, ~~and any person violating the provisions of this section shall be guilty of a gross misdemeanor and punished therefor according to the laws of the state.~~

Sec. 57. Minnesota Statutes 1998, section 156.11, is amended to read:

156.11 [~~CORPORATIONS~~ FIRMS NOT TO PRACTICE.]

~~(a) It shall be is unlawful in the state of Minnesota for any corporation firm, other than one organized pursuant to chapter 319A or 319B, to practice veterinary medicine, or to hold itself out or advertise itself in any way as being entitled to practice veterinary medicine, or to receive the fees, or portions of fees, or gifts or other emoluments or benefits compensation derived from the practice of veterinary medicine; or the performance of veterinary services by any person, whether such that person be is licensed to practice veterinary medicine or not. Any corporation firm violating the provisions of this section shall be is guilty of a gross misdemeanor and must be fined not more than \$3,000 for each offense; and. Each day that this chapter section is violated shall be considered is a separate offense.~~

(b) Notwithstanding section 319B.08, a veterinary medical practice firm has 12 months after the death of an owner before all of the owner's ownership interest must be acquired by the practice, by persons permitted to own the ownership interest, or by some combination.

Sec. 58. Minnesota Statutes 1998, section 156.12, subdivision 2, is amended to read:

Subd. 2. [AUTHORIZED ACTIVITIES.] No provision of this chapter shall be construed to prohibit:

(a) a person from rendering necessary gratuitous assistance in the treatment of any animal when the assistance does not amount to prescribing, testing for, or diagnosing, operating, or vaccinating and when the attendance of a licensed veterinarian cannot be procured;

(b) a person who is a regular student in an accredited or approved college of veterinary medicine from performing duties or actions assigned by instructors or preceptors or working under the direct supervision of a licensed veterinarian;

(c) a veterinarian regularly licensed in another jurisdiction from consulting with a licensed veterinarian in this state;

(d) the owner of an animal and the owner's regular employee from caring for and ~~treating~~ administering to the animal belonging to the owner, except where the ownership of the animal was transferred for purposes of circumventing this chapter;

(e) veterinarians employed by the University of Minnesota from performing their duties with the college of veterinary medicine, college of agriculture, agricultural experiment station, agricultural extension service, medical school, school of public health, or other unit within the university; or a person from lecturing or giving instructions or demonstrations at the university or in connection with a continuing education course or seminar to veterinarians;

(f) any person from selling or applying any pesticide, insecticide or herbicide;

(g) any person from engaging in bona fide scientific research or investigations which reasonably requires experimentation involving animals;

(h) any employee of a licensed veterinarian from performing duties other than diagnosis, prescription or surgical correction under the direction and supervision of the veterinarian, who shall be responsible for the performance of the employee;

(i) a graduate of a foreign college of veterinary medicine from working under the direct personal instruction, control, or supervision of a veterinarian faculty member of the College of Veterinary Medicine, University of Minnesota in order to complete the requirements necessary to obtain an ECFVG certificate.

Sec. 59. Minnesota Statutes 1998, section 156.12, subdivision 4, is amended to read:

Subd. 4. [TITLES.] It ~~shall be~~ is unlawful for a person who has not received a professional degree from an accredited or approved college of veterinary medicine, or ECFVG certification, to use any of the following titles or designations: Veterinary, veterinarian, animal doctor, animal surgeon, animal dentist, animal chiropractor, animal acupuncturist, or any other title, designation, word, letter, abbreviation, sign, card, or device tending to indicate that the person is qualified to practice veterinary medicine.

Sec. 60. Minnesota Statutes 1998, section 216B.2424, is amended by adding a subdivision to read:

Subd. 6. [FUEL SUPPLY CONTRACT.] Notwithstanding any other provision of this section, a public utility may satisfy up to 75 megawatts of the mandate in subdivision 5 by converting power purchase agreements entered into to satisfy that mandate and executed prior to March 15, 1999, into fuel supply agreements between the same parties.

Sec. 61. Minnesota Statutes 1998, section 239.791, subdivision 1, is amended to read:

Subdivision 1. [MINIMUM OXYGEN CONTENT REQUIRED.] Except as provided in subdivisions 10 to ~~12~~ 14, a person responsible for the product shall comply with the following requirements:

(a) After October 1, 1995, gasoline sold or offered for sale at any time in a carbon monoxide control area must contain at least 2.7 percent oxygen by weight.

(b) After October 1, 1997, all gasoline sold or offered for sale in Minnesota must contain at least 2.7 percent oxygen by weight.

Sec. 62. Minnesota Statutes 1998, section 239.791, subdivision 12, is amended to read:

Subd. 12. [EXEMPTION FOR COLLECTOR VEHICLE AND OFF-ROAD USE.] (a) ~~Except during a carbon monoxide control period in a carbon monoxide control area,~~ A person responsible for the product may offer for sale, sell, or dispense at a retail gasoline station for use in collector vehicles or vehicles eligible to be licensed as collector vehicles, off-road vehicles, motorcycles, boats, snowmobiles, or small engines, gasoline that is not oxygenated in accordance with subdivision 1 if the person meets the conditions in paragraphs (b) to ~~(d)~~ (e). If the nonoxygenated gasoline is for use in a small engine, it must be dispensed into a can with a capacity of six or fewer gallons.

(b) The nonoxygenated gasoline must be unleaded premium grade as defined in section 239.751, subdivision 4.

(c) No more than one storage tank on the premises of the retail gasoline station may be used for storage of the nonoxygenated gasoline offered for sale, sold, or dispensed by the station.

(d) The pump stands must be posted with a permanent notice stating: "NONOXYGENATED GASOLINE. FOR USE IN COLLECTOR VEHICLES OR VEHICLES ELIGIBLE TO BE LICENSED AS COLLECTOR VEHICLES, OFF-ROAD VEHICLES, MOTORCYCLES, BOATS, SNOWMOBILES, OR SMALL ENGINES ONLY."

(e) A retail gasoline station that sells or offers for sale nonoxygenated premium grade gasoline under this subdivision must annually report to the division of weights and measures, department of public service, on forms provided by the division, the total number of gallons of nonoxygenated gasoline sold. Data submitted to the department under this paragraph are nonpublic data as defined in section 13.02, subdivision 9.

Sec. 63. Minnesota Statutes 1998, section 239.791, is amended by adding a subdivision to read:

Subd. 13. [EXEMPTION FOR CERTAIN RIPARIAN LANDOWNERS.] (a) A person responsible for the product may offer for sale, sell, and deliver directly to a bulk fuel storage tank gasoline that is not oxygenated in accordance with subdivision 1 if the conditions in paragraphs (b) to (e) are met.

(b) The nonoxygenated gasoline must be unleaded premium grade as defined in section 239.751, subdivision 4.

(c) The bulk fuel storage tank must be stationary or permanent.

(d) The bulk fuel storage tank must be under the control of an owner of littoral or riparian property and located on that littoral or riparian property.

(e) The nonoxygenated gasoline must be purchased for use in vehicles that would qualify for an exemption under subdivision 12, paragraph (a).

Sec. 64. Minnesota Statutes 1998, section 239.791, is amended by adding a subdivision to read:

Subd. 14. [EXEMPTION FOR AIRCRAFT OPERATORS.] A person responsible for the product may offer for sale, sell, and deliver directly to a bulk fuel storage tank gasoline that is not oxygenated in accordance with subdivision 1 for use in aircraft if the nonoxygenated gasoline is unleaded premium grade as defined in section 239.751, subdivision 4.

Sec. 65. Minnesota Statutes 1998, section 500.24, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] The definitions in this subdivision apply to this section.

(a) "Farming" means the production of (1) agricultural products; (2) livestock or livestock products; (3) milk or milk products; or (4) fruit or other horticultural products. It does not include the processing, refining, or packaging of said products, nor the provision of spraying or harvesting services by a processor or distributor of farm products. It does not include the production of timber or forest products, the production of poultry or poultry products, or the feeding and caring for livestock that are delivered to a corporation for slaughter or processing for up to 20 days before slaughter or processing.

(b) "Family farm" means an unincorporated farming unit owned by one or more persons residing on the farm or actively engaging in farming.

(c) "Family farm corporation" means a corporation founded for the purpose of farming and the ownership of agricultural land in which the majority of the voting stock is held by and the majority of the stockholders are persons or the spouses of persons related to each other within the third degree of kindred according to the rules of the civil law, and at least one of said related persons is residing on or actively operating the farm, and none of whose stockholders are corporations; provided that a family farm corporation shall not cease to qualify as such hereunder by reason of any devise or bequest of shares of voting stock.

(d) "Authorized farm corporation" means a corporation meeting the following standards:

- (1) it has no more than five shareholders;
- (2) all its shareholders, other than any estate, are natural persons;
- (3) it does not have more than one class of shares;
- (4) its revenue from rent, royalties, dividends, interest, and annuities does not exceed 20 percent of its gross receipts;
- (5) shareholders holding 51 percent or more of the interest in the corporation reside on the farm or are actively engaging in farming;
- (6) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and
- (7) none of its shareholders are shareholders in other authorized farm corporations that directly or indirectly in combination with the corporation own more than 1,500 acres of agricultural land.

(e) "Authorized livestock farm corporation" means a corporation formed for the production of livestock and meeting the following standards:

- (1) it is engaged in the production of livestock other than dairy cattle;
- (2) all its shareholders, other than any estate, are natural persons or family farm corporations;
- (3) it does not have more than one class of shares;
- (4) its revenue from rent, royalties, dividends, interest, and annuities does not exceed 20 percent of its gross receipts;
- (5) shareholders holding 75 percent or more of the control, financial, and capital investment in the corporation are farmers residing in Minnesota and at least 51 percent of the required percentage of farmers are actively engaged in livestock production;
- (6) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and
- (7) none of its shareholders are shareholders in other authorized farm corporations that directly or indirectly in combination with the corporation own more than 1,500 acres of agricultural land.

(f) "Agricultural land" means real estate used for farming or capable of being used for farming in this state.

(g) "Pension or investment fund" means a pension or employee welfare benefit fund, however organized, a mutual fund, a life insurance company separate account, a common trust of a bank or other trustee established for the investment and reinvestment of money contributed to it, a real estate investment trust, or an investment company as defined in United States Code, title 15, section 80a-3.

(h) "Farm homestead" means a house including adjoining buildings that has been used as part of a farming operation or is part of the agricultural land used for a farming operation.

(i) "Family farm partnership" means a limited partnership formed for the purpose of farming and the ownership of agricultural land in which the majority of the interests in the partnership is held by and the majority of the partners are persons or the spouses of persons related to each other within the third degree of kindred according to the rules of the civil law, at least one of the related persons is residing on or actively operating the farm, and none of the partners are corporations. A family farm partnership does not cease to qualify as a family farm partnership because of a devise or bequest of interest in the partnership.

(j) "Authorized farm partnership" means a limited partnership meeting the following standards:

(1) it has been issued a certificate from the secretary of state or is registered with the county recorder and farming and ownership of agricultural land is stated as a purpose or character of the business;

(2) no more than five partners;

(3) all its partners, other than any estate, are natural persons;

(4) its revenue from rent, royalties, dividends, interest, and annuities do not exceed 20 percent of its gross receipts;

(5) its general partners hold at least 51 percent of the interest in the land assets of the partnership and reside on the farm or are actively engaging in farming not more than 1,500 acres as a general partner in an authorized limited partnership;

(6) its limited partners do not participate in the business of the limited partnership including operating, managing, or directing management of farming operations;

(7) it does not, directly or indirectly, own or otherwise have an interest in any title to more than 1,500 acres of agricultural land; and

(8) none of its limited partners are limited partners in other authorized farm partnerships that directly or indirectly in combination with the partnership own more than 1,500 acres of agricultural land.

(k) "Farmer" means a natural person who regularly participates in physical labor or operations management in the person's farming operation and files "Schedule F" as part of the person's annual Form 1040 filing with the United States Internal Revenue Service.

(l) "Actively engaged in livestock production" means performing day-to-day physical labor or day-to-day operations management that significantly contributes to livestock production and the functioning of a livestock operation.

(m) "Research or experimental farm" means a corporation, limited partnership, or pension or investment fund that owns or operates agricultural land for research or experimental purposes, provided that any commercial sales from the operation are incidental to the research or experimental objectives of the corporation. A corporation, limited partnership, or pension or investment fund seeking initial approval by the commissioner to operate agricultural land for research or experimental purposes must first submit to the commissioner a prospectus or proposal of the intended method of operation containing information required by the commissioner including a copy of any operational contract with individual participants.

(n) "Breeding stock farm" means a corporation or limited partnership that owns land for the purpose of raising breeding stock, including embryos, for resale to farmers or for the purpose of growing seed, wild rice, nursery plants, or sod. An entity that is organized to raise livestock other than dairy cattle under this paragraph that does not qualify as an authorized farm corporation must:

(1) sell all castrated animals to be fed out or finished to farming operations that are neither directly nor indirectly owned by the business entity operating the breeding stock operation; and

(2) report its total production and sales annually to the commissioner.

(o) "Aquatic farm" means a corporation or limited partnership that owns or leases agricultural land as a necessary part of an aquatic farm as defined in section 17.47, subdivision 3.

(p) "Religious farm" means a corporation formed primarily for religious purposes whose sole income is derived from agriculture.

(q) "Utility corporation" means a corporation regulated under Minnesota Statutes 1974, chapter 216B, that owns agricultural land for purposes described in that chapter, or an electric generation or transmission cooperative that owns agricultural land for use in its business if the land is not used for farming except under lease to a family farm unit, a family farm corporation, or a family farm partnership.

(r) "Benevolent trust" means a pension fund or family trust established by the owners of a family farm, authorized farm corporation, authorized livestock farm corporation, or family farm corporation that holds an interest in title to agricultural land on which one or more of those owners or shareholders have resided or have been actively engaged in farming as required by paragraph (b), (c), (d), or (e).

(s) "Development organization" means a corporation, limited partnership, or pension or investment fund that owns agricultural land for which the corporation, limited partnership, or pension or investment fund has documented plans to use and subsequently uses the land within six years from the date of purchase for a specific nonfarming purpose, or if the land is zoned nonagricultural, or if the land is located within an incorporated area. A corporation, limited partnership, or pension or investment fund may hold agricultural land in the amount necessary for its nonfarm business operation; provided, however, that pending the development of agricultural land for nonfarm purposes, the land may not be used for farming except under lease to a family farm unit, a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership, or except when controlled through ownership, options, leaseholds, or other agreements by a corporation that has entered into an agreement with the United States under the New Community Act of 1968 (Title IV of the Housing and Urban Development Act of 1968, United States Code, title 42, sections 3901 to 3914) as amended, or a subsidiary or assign of such a corporation.

(t) "Exempt land" means agricultural land owned or leased by a corporation as of May 20, 1973, agricultural land owned or leased by a pension or investment fund as of May 12, 1981, or agricultural land owned or leased by a limited partnership as of May 1, 1988, including the normal expansion of that ownership at a rate not to exceed 20 percent of the amount of land owned as of May 20, 1973, for a corporation; May 12, 1981, for a pension or investment fund; or May 1, 1988, for a limited partnership, measured in acres, in any five-year period, and including additional ownership reasonably necessary to meet the requirements of pollution control rules. A corporation, limited partnership, or pension or investment fund that is eligible to own or lease agricultural land under this section prior to May 1997 may continue to own or lease agricultural land subject to the same conditions and limitations as previously allowed.

(u) "Gifted land" means agricultural land acquired as a gift, either by grant or devise, by an educational, religious, or charitable nonprofit corporation, limited partnership, or pension or investment fund if all land so acquired is disposed of within ten years after acquiring the title.

(v) "Reposessed land" means agricultural land acquired by a corporation, limited partnership, or pension or investment fund by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim on the land, whether created by mortgage or otherwise if all land so acquired is disposed of within five years after acquiring the title. The five-year limitation is a covenant running with the title to the land against any grantee, assignee, or successor of the pension or investment fund, corporation, or limited partnership. The land so acquired

must not be used for farming during the five-year period, except under a lease to a family farm unit, a family farm corporation, an authorized farm corporation, an authorized livestock farm corporation, a family farm partnership, or an authorized farm partnership. Notwithstanding the five-year divestiture requirement under this paragraph, a financial institution may continue to own the agricultural land if the agricultural land is leased to the immediately preceding former owner, but must dispose of the agricultural land within ten years of acquiring the title. Livestock acquired by a pension or investment fund, corporation, or limited partnership in the collection of debts, or by a procedure for the enforcement of lien or claim on the livestock whether created by security agreement or otherwise after August 1, 1994, must be sold or disposed of within one full production cycle for the type of livestock acquired or 18 months after the livestock is acquired, whichever is later.

(w) "Commissioner" means the commissioner of agriculture.

(x) "Demonstration corporation" means a nonprofit corporation organized under state nonprofit corporation law and formed primarily for the purpose of demonstrating historical farming practices.

Sec. 66. Minnesota Statutes 1998, section 500.24, subdivision 3, is amended to read:

Subd. 3. [FARMING AND OWNERSHIP OF AGRICULTURAL LAND BY CORPORATIONS RESTRICTED.] No corporation, limited liability company, pension or investment fund, or limited partnership shall engage in farming; nor shall any corporation, limited liability company, pension or investment fund, or limited partnership, directly or indirectly, own, acquire, or otherwise obtain any interest, in agricultural land other than a bona fide encumbrance taken for purposes of security. This subdivision does not apply to general partnerships. This subdivision does not apply to any agricultural land, corporation, limited partnership, or pension or investment fund that meet any of the definitions in subdivision 2, paragraphs (b) to (e), (i), (j), ~~and~~ (m) to (v), and (x), has a conservation plan prepared for the agricultural land, and reports as required under subdivision 4.

Sec. 67. [AGRICULTURAL PRODUCER CONTRACTS; ROUNDTABLE ON CONTRACT FARMING.]

Subdivision 1. [PURPOSE; LEGISLATIVE FINDINGS.] The legislature finds that continuing changes in the agricultural livestock, poultry, commodity crop, and specialty crop industries have led to an ever larger portion of Minnesota farmers who produce under contract for processors. To the extent that production under contract lessens competition and dulls important market signals, independent producers are left at a critical economic disadvantage. The legislature finds further that the study and recommendations authorized by this section will identify ways to assure that competitive markets remain for producers who choose not to produce under contract.

Subd. 2. [CREATION; MEMBERSHIP.] (a) There is hereby created a roundtable on contract farming with 22 members appointed as follows:

(1) the chair of the agriculture and rural development committee of the senate shall appoint one citizen member with education and experience in the area of agricultural economics, one citizen member who is the operator of a production agriculture farm in the state, one processor of agricultural livestock, one poultry processor, and three members of the senate, at least one of whom must be a member of the minority caucus;

(2) the chair of the agriculture and rural development finance committee of the house of representatives shall appoint one citizen member with education and experience in the area of agricultural economics, one citizen member who is the operator of a production agriculture farm in the state, one poultry producer, one processor of agricultural commodities, and three members of the house of representatives, at least one of whom must be a member of the minority caucus;

(3) the governor shall appoint three members, one each representing processors of agricultural livestock, poultry, commodity crops, or specialty crops;

(4) the governor shall appoint two members representing different types of financial institutions or organizations of financial institutions;

(5) the Minnesota Farm Bureau Federation shall appoint one member;

(6) the Minnesota Farmers Union shall appoint one member;

(7) the Minnesota Cattlemen's Association shall appoint one member; and

(8) the Minnesota Pork Producers Association shall appoint one member.

(b) All appointments must be made June 15, 1999.

(c) Citizen members of the roundtable serve without compensation but may be reimbursed for expenses as provided in Minnesota Statutes, section 15.059, subdivision 6.

(d) The first meeting of the roundtable must be called and convened by the chairs of the agriculture policy committees of the senate and the house of representatives. Roundtable members must then elect a permanent chair from among the roundtable members.

(e) The roundtable may organize itself into two or more committees each concentrating on the issues most relevant to particular types of producer contracts, such as agricultural livestock or poultry contracts, commodity crop contracts, or specialty crop contracts. If committees of the roundtable are formed, they must report their findings to the full roundtable.

Subd. 3. [CHARGE.] The roundtable shall examine current and projected impacts of agricultural livestock, poultry, commodity crops, and specialty crops produced under contract with processors and the effect of contract production on the availability or distortion of valid market price information and access to competitive markets for other producers. In fulfilling its charge, the roundtable may consult with persons involved with or affected by activities and recommendations of the agricultural marketing and bargaining task force created under Laws 1997, chapter 142.

Subd. 4. [RESOURCES; STAFF SUPPORT; CONTRACT SERVICES.] The commissioner of agriculture shall provide necessary resources and staff support for the meetings, hearings, activities, and report of the roundtable. To the extent the roundtable determines it appropriate to contract with nonstate providers for research or analytical services, the commissioner shall serve as the fiscal agent for the roundtable.

Subd. 5. [PUBLIC HEARINGS.] The roundtable shall hold at least four public hearings on the issue of agricultural production under contract, at least three of which must be held in greater Minnesota.

Subd. 6. [REPORT.] The roundtable shall report its findings to the legislature by January 15, 2000. The report must include recommendations for law or rule changes that would ensure competition and valid market price signals to both contract producers and those who choose not to produce under contract.

Subd. 7. [EXPIRATION.] The roundtable on contract farming expires 45 days after its report and recommendations are delivered to the legislature or on June 1, 2000, whichever date is earlier.

Sec. 68. [URBAN AGRICULTURAL HIGH SCHOOL.]

Subdivision 1. [WORKING GROUP ESTABLISHED.] The commissioner of agriculture, in collaboration with the Minnesota agriculture education leadership council, must establish a working group to develop a proposal for an urban agricultural high school and development of agribusiness partnerships.

Subd. 2. [GRANT PURPOSES.] The planning grant may be used for curriculum design, demographic research, development of partnerships, site acquisition, market assessment of student interest, and facility predesign purposes.

Subd. 3. [REPORT.] The Minnesota agriculture education leadership council must present a report to the legislature by January 15, 2000.

Sec. 69. [FEEDLOT RULE REVIEW.]

To reduce the need for future farm-related state spending, and to ensure legislative intent and oversight, after the effective date of this section, the Minnesota pollution control agency shall not implement any new or increased fees related to livestock or poultry production or implement any new or amended rules or new or increased fees related to the operation of livestock or poultry feedlots until at least 60 days after the proposed rules have been reviewed and approved by majority vote of the standing committees of the senate and the house of representatives having jurisdiction over agricultural policy issues.

Sec. 70. [REVISOR INSTRUCTION.]

The revisor of statutes shall renumber Minnesota Statutes, section 156.072, subdivision 4, as section 156.073.

Sec. 71. [REPEALER.]

Minnesota Statutes 1998, sections 35.245; and 35.96, subdivision 4, are repealed on the day following final enactment. Minnesota Statutes 1998, sections 17.76; 42.01; 42.02; 42.03; 42.04; 42.05; 42.06; 42.07; 42.08; 42.09; 42.10; 42.11; 42.12; 42.13; and 42.14, are repealed.

Sec. 72. [EFFECTIVE DATE.]

Sections 8, 31, 32, 34 to 44, 61 to 64, and 67 are effective on the day following final enactment."

Delete the title and insert:

"A bill for an act relating to agriculture; appropriating money for agricultural purposes; establishing and modifying certain programs; providing for regulation of certain activities and practices; providing for accounts, assessments, and fees; amending Minnesota Statutes 1998, sections 17.115, subdivision 3; 17.116, subdivision 3; 17.136; 17.451, subdivision 2; 17.452, subdivisions 5 and 8; 17.59, subdivision 5; 17A.11; 18B.05, subdivision 1; 18B.26, subdivision 5; 18C.131; 18E.02, subdivision 5; 21.115; 21.92; 25.39, subdivision 4; 27.07, subdivision 6; 28A.08, subdivision 3; 31.94; 31.95, subdivision 3a; 32.21, subdivision 4; 32.394, subdivision 9; 35.02, subdivision 1; 35.04; 35.05; 35.08; 35.09, subdivisions 2 and 2a; 35.67; 35.68; 35.82, subdivisions 1b, 2, and 3; 35.92, subdivision 5; 35.93, subdivision 1; 41A.09, subdivision 3a; 41D.02, subdivision 2; 103F.515, subdivision 2; 156.001, subdivisions 2, 3, and by adding a subdivision; 156.01, subdivision 3; 156.02, subdivisions 1 and 2; 156.03; 156.072; 156.10; 156.11; 156.12, subdivisions 2 and 4; 216B.2424, by adding a subdivision; 239.791, subdivisions 1, 12, and by adding subdivisions; and 500.24, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapters 17; 18E; 28A; 31B; and 156; repealing Minnesota Statutes 1998, sections 17.76; 35.245; 35.96, subdivision 4; 42.01; 42.02; 42.03; 42.04; 42.05; 42.06; 42.07; 42.08; 42.09; 42.10; 42.11; 42.12; 42.13; and 42.14."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Ways and Means.

The report was adopted.

REPORT FROM THE CHAIR OF THE  
COMMITTEE ON WAYS AND MEANS

April 15, 1999

Edward A. Burdick  
Chief Clerk of the House of Representatives  
The State of Minnesota

Dear Mr. Burdick:

House Rule 4.03 requires the Chair of the Committee on Ways and Means to certify to the House of Representatives that the Committee has reconciled any finance and revenue bills with the budget resolution and targets.

Please accept this letter as certification that H. F. Nos. 1467 and 2333 reconcile with the budget resolution and targets.

Sincerely,

REPRESENTATIVE DAVE BISHOP  
Chair, House Ways and Means Committee

**SECOND READING OF HOUSE BILLS**

H. F. No. 1467 was read for the second time.

**SECOND READING OF SENATE BILLS**

S. F. Nos. 63, 411, 1279, 1404, 1471, 1541, 1746, 1831 and 2120 were read for the second time.

**INTRODUCTION AND FIRST READING OF HOUSE BILLS**

The following House Files were introduced:

Erhardt introduced:

H. F. No. 2402, A bill for an act relating to taxation; providing that sales of milk, milk products, juice, and juice products sold through vending machines are exempt from the sales tax; amending Minnesota Statutes 1998, section 297A.01, subdivision 3.

The bill was read for the first time and referred to the Committee on Taxes.

Sviggum introduced:

H. F. No. 2403, A bill for an act relating to tax increment financing; changing certain provisions as they apply to the city of Medford.

The bill was read for the first time and referred to the Committee on Taxes.

Broecker, for the Committee on Judiciary Finance, introduced:

H. F. No. 2404, A bill for an act relating to the operation of state government; crime prevention and judiciary finance; appropriating money for the judicial branch, public safety, public defense, corrections, human rights, and related purposes; increasing and prescribing criminal penalties for certain offenses; expanding the categories of offenders that must provide a biological specimen for DNA testing; allowing separate sentences and consecutive sentences in certain situations; requiring a statewide model policy governing police pursuits; requiring training on emergency vehicle operations; providing for integrated criminal justice information systems; transferring the office of drug policy and violence prevention from the department of children, families, and learning to the department of public safety; clarifying certain public safety procedures; establishing the Rush city correctional facility; modifying productive day programs; delaying the transfer of per diem funding for battered women shelters; transferring victim and offender mediation programs from the supreme court to the center for crime victim services; establishing a residential program for women leaving prostitution; establishing a neighborhood-based crime victim and witness services program; providing for the state takeover of costs of certain court-related programs; providing for the state takeover of court administration employees and costs in certain judicial districts; increasing the number of judges in certain judicial districts; creating a program to license qualified court interpreters; identifying collective bargaining rights and processes for court employees; amending Minnesota Statutes 1998, sections 2.722, subdivision 1; 43A.02, subdivision 25; 43A.24, subdivision 2; 119A.26; 119A.28, subdivisions 2 and 3; 119A.29, subdivision 1; 119A.32; 119A.33; 119A.34, subdivisions 3 and 4; 168A.40, subdivision 2; 179A.03, subdivisions 7, 14, 15, and by adding a subdivision; 179A.06, subdivision 2; 179A.10, subdivision 4; 179A.12, subdivision 4; 179A.22, subdivisions 2 and 3; 241.275, subdivisions 1 and 2; 242.192; 243.50; 244.05, subdivisions 4 and 5; 244.18, subdivision 3; 253B.23, subdivisions 1 and 8; 257.69, subdivision 2; 260.251, subdivisions 2 and 5; 260.56; 299C.063, subdivision 2; 299C.65, subdivisions 2, 5, and by adding subdivisions; 466.01, subdivision 6; 480.181, subdivision 1; 484.013, subdivisions 1 and 2; 484.64, subdivision 3; 484.65, subdivision 3; 485.018, subdivisions 2 and 6; 485.03; 485.27; 487.10, subdivision 4; 518.165, subdivision 3; 546.13; 546.44, subdivision 3; 563.01, subdivisions 2, 9, and 10; 609.035, subdivisions 1, 2, and by adding a subdivision; 609.102, by adding a subdivision; 609.1095, by adding a subdivision; 609.3461, subdivisions 1 and 2; 611.33, subdivision 3; 611A.77; 626.5532; and 626.845, subdivision 1; Laws 1997, chapter 85, article 3, section 53; proposing coding for new law in Minnesota Statutes, chapters 12; 179A; 241; 243; 299A; 477A; 480; and 626; repealing Minnesota Statutes 1998, sections 119A.04, subdivision 5; 241.275, subdivision 5; 241.277; 256D.05, subdivisions 3 and 3a; 357.021, subdivision 2a; 563.01, subdivision 1; and 609.113.

The bill was read for the first time and referred to the Committee on Ways and Means.

Rest and McElroy introduced:

H. F. No. 2405, A bill for an act relating to taxation; reducing the threshold to qualify for state aid for cities with concentrations of class 4d property; amending Minnesota Statutes 1998, section 477A.06, subdivision 1.

The bill was read for the first time and referred to the Committee on Taxes.

Peterson introduced:

H. F. No. 2406, A bill for an act relating to human services; requiring the commissioner of human services to amend rules for the prepaid medical assistance program.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Peterson introduced:

H. F. No. 2407, A bill for an act relating to Clara City; appropriating money for a water quality capital improvement grant.

The bill was read for the first time and referred to the Committee on Jobs and Economic Development Policy.

### MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendments the concurrence of the House is respectfully requested:

H. F. No. 1568, A bill for an act relating to the state building code; transferring authority to adopt energy portions of the building code from the commissioner of public service to the commissioner of administration; providing for conformity with a code for building conservation; requiring implementation of locally adopted optional code provisions; requiring a report; amending Minnesota Statutes 1998, sections 16B.61, subdivisions 1 and 1a; 16B.62, subdivision 2; 16B.64, subdivision 4; 216C.19, subdivision 8; and 216C.195, subdivision 1; repealing Minnesota Statutes 1998, section 16B.165.

PATRICK E. FLAHAVEN, Secretary of the Senate

Boudreau moved that the House refuse to concur in the Senate amendments to H. F. No. 1568, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 807, 1645, 1715 and 1204.

PATRICK E. FLAHAVEN, Secretary of the Senate

### FIRST READING OF SENATE BILLS

S. F. No. 807, A bill for an act relating to human services; requiring counties to offer an enhanced registration category to child care providers; requiring counties to pay licensed child care providers directly for child care expenses; extending unlicensed child care to certain providers for one year; amending Minnesota Statutes 1998, sections 119B.09, by adding a subdivision; and 119B.13, subdivision 6; Laws 1997, chapter 248, section 46, as amended.

The bill was read for the first time.

Bradley moved that S. F. No. 807 and H. F. No. 802, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1645, A bill for an act relating to traffic regulations; exempting vehicles carrying milk from seasonal weight restrictions under certain circumstances; amending Minnesota Statutes 1998, section 169.87, by adding a subdivision.

The bill was read for the first time.

Juhnke moved that S. F. No. 1645 and H. F. No. 1641, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1715, A bill for an act relating to commerce; providing enforcement authority for the commissioner; regulating service of process; excluding hair braiding from the practice of cosmetology; regulating residential building contractors and remodelers; providing criminal penalties; amending Minnesota Statutes 1998, sections 45.027, subdivisions 6 and 7; 45.028, subdivision 2; 80A.15, subdivision 2; 155A.03, subdivision 2, and by adding a subdivision; 326.83, subdivision 18; 326.89, subdivision 3; 326.94, subdivision 2; and 332.37; repealing Minnesota Statutes 1998, section 326.89, subdivision 3a.

The bill was read for the first time.

Entenza moved that S. F. No. 1715 and H. F. No. 1564, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

S. F. No. 1204, A bill for an act relating to the state building code; clarifying the supervision of the state fire marshal; modifying elevator installation provisions; amending Minnesota Statutes 1998, sections 16B.61, subdivision 2; and 16B.745, subdivision 3.

The bill was read for the first time.

Rostberg moved that S. F. No. 1204 and H. F. No. 853, now on the General Register, be referred to the Chief Clerk for comparison. The motion prevailed.

### **FISCAL CALENDAR**

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 2390.

H. F. No. 2390 was reported to the House.

Pursuant to rule 2.05, the Speaker excused Kelliher from voting on the passage of H. F. No. 2390 and any amendments to H. F. No. 2390 that relate to the Minnesota Historical Society.

### **POINT OF ORDER**

Leighton raised a point of order pursuant to rule 4.13 relating to Bills Affecting State Government Powers and Structure. The Speaker ruled the point of order not well taken.

The Speaker called Abrams to the Chair.

McElroy moved to amend H. F. No. 2390, the first engrossment, as follows:

Page 4, line 39, delete "177,000" and insert "187,000"

Page 4, line 39, delete "178,000" and insert "188,000"

The motion prevailed and the amendment was adopted.

Boudreau moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 8, line 49, delete "and empowerment"

Page 8, line 54, after the period, insert:

"No part of this grant may be applied to litigation costs, or used for legal advocacy or legal assistance purposes."

A roll call was requested and properly seconded.

The question was taken on the Boudreau amendment and the roll was called. There were 76 yeas and 56 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	Lindner	Reuter	Tingelstad
Abrams	Dorman	Holberg	Mares	Rhodes	Tuma
Anderson, B.	Dorn	Holsten	McElroy	Rifenberg	Van Dellen
Bishop	Erhardt	Howes	Molnau	Rostberg	Vandever
Boudreau	Erickson	Huntley	Mulder	Seagren	Westerberg
Bradley	Finseth	Jennings	Ness	Seifert, J.	Westfall
Broecker	Fuller	Kielkucki	Nornes	Seifert, M.	Westrom
Buesgens	Gerlach	Knoblach	Olson	Smith	Wilkin
Cassell	Goodno	Krinkie	Osskopp	Stanek	Wolf
Clark, J.	Gunther	Kubly	Ozment	Stang	Workman
Daggett	Haake	Kuisle	Paulsen	Storm	Spk. Sviggum
Davids	Haas	Larsen, P.	Pawlenty	Swenson	
Dehler	Hackbarth	Leppik	Pelowski	Sykora	

Those who voted in the negative were:

Anderson, I.	Gleason	Kahn	Mariani	Paymar	Trimble
Bakk	Gray	Kalis	Marko	Peterson	Tunheim
Biernat	Greenfield	Kelliher	McCollum	Pugh	Wagenius
Carlson	Greiling	Koskinen	McGuire	Rest	Wejman
Carruthers	Hasskamp	Larson, D.	Milbert	Rukavina	Wenzel
Chaudhary	Hausman	Leighton	Mullery	Schumacher	Winter
Clark, K.	Hilty	Lenczewski	Munger	Skoe	
Dawkins	Jaros	Lieder	Murphy	Skoglund	
Entenza	Johnson	Luther	Opatz	Solberg	
Folliard	Juhnke	Mahoney	Otremba	Tomassoni	

The motion prevailed and the amendment was adopted.

Rukavina; Winter; Opatz; Clark, K.; Leighton; Dawkins; Pugh; Gray; Bakk; Carruthers; Carlson; Luther; Orfield; Chaudhary; Mahoney; Milbert; Tomassoni; Hasskamp; Biernat; Entenza; McCollum; Solberg; Trimble and Schumacher moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 14, line 38, delete "\$1,600,000" and insert "\$1,153,000"

Page 20, after line 17, insert:

"Sec. 23. LABOR INTERPRETIVE CENTER 447,000 -0-"

Page 59, line 23, delete "138A.01; 138A.02;"

Page 59, line 24, delete everything before "462A.28"

Correct the subdivision and section totals and the summaries by fund accordingly

Renumber the sections in sequence and correct the internal references

A roll call was requested and properly seconded.

The question was taken on the Rukavina et al amendment and the roll was called. There were 56 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Otremba	Tomassoni
Bakk	Greenfield	Kahn	Marko	Pelowski	Trimble
Biernat	Greiling	Kalis	McCollum	Peterson	Tunheim
Carlson	Hasskamp	Koskinen	McGuire	Pugh	Wenzel
Carruthers	Hilty	Kubly	Milbert	Rest	Winter
Chaudhary	Howes	Larson, D.	Munger	Rukavina	Spk. Sviggum
Clark, K.	Huntley	Leighton	Murphy	Schumacher	
Dorn	Jaros	Lenczewski	Opatz	Skoe	
Entenza	Jennings	Lieder	Osskopp	Smith	
Folliard	Johnson	Luther	Osthoff	Solberg	

Those who voted in the negative were:

Abeler	Dehler	Harder	McElroy	Rostberg	Vandever
Abrams	Dempsey	Hausman	Molnau	Seagren	Wagenius
Anderson, B.	Dorman	Holberg	Mulder	Seifert, J.	Wejzman
Bishop	Erhardt	Holsten	Ness	Seifert, M.	Westerberg
Boudreau	Erickson	Kielkucki	Nornes	Skoglund	Westfall
Bradley	Finseth	Knoblach	Olson	Stanek	Westrom
Broecker	Fuller	Krinkie	Ozment	Stang	Wilkin
Buesgens	Gerlach	Kuile	Paulsen	Storm	Wolf
Cassell	Goodno	Larsen, P.	Pawlenty	Swenson	Workman
Clark, J.	Gunther	Leppik	Paymar	Sykora	
Daggett	Haake	Lindner	Reuter	Tingelstad	
Davids	Haas	Mares	Rhodes	Tuma	
Dawkins	Hackbarth	Mariani	Rifenberg	Van Dellen	

The motion did not prevail and the amendment was not adopted.

Mahoney, Bakk and Dorn moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 7, line 9, delete "5,830,000" and insert "5,230,000"

Page 7, line 9, delete "5,630,000" and insert "4,851,000"

Page 7, line 10, delete "\$5,055,000" and insert "\$4,455,000"

Page 7, line 11, delete "\$5,055,000" and insert "\$4,276,000"

Page 18, after line 2, insert:

"\$600,000 the first year and \$779,000 the second year is for division of voluntary apprenticeship to administer the provisions of Minnesota Statutes, chapter 178."

Pages 39 and 40, delete section 29

Adjust fund totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Mahoney et al amendment and the roll was called. There were 64 yeas and 69 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Kahn	Mahoney	Osthoff	Smith
Bakk	Greenfield	Kalis	Mariani	Otremba	Solberg
Biernat	Greiling	Kelliher	Marko	Paymar	Tomassoni
Carlson	Hasskamp	Koskinen	McCollum	Peterson	Trimble
Carruthers	Hausman	Kubly	McGuire	Pugh	Tunheim
Clark, K.	Hilty	Larsen, P.	Milbert	Rest	Wagenius
Dawkins	Huntley	Larson, D.	Mullery	Rukavina	Wejeman
Dorn	Jaros	Leighton	Munger	Schumacher	Wenzel
Entenza	Jennings	Lenczewski	Murphy	Seifert, J.	Winter
Folliard	Johnson	Lieder	Opatz	Skoe	
Gleason	Juhnke	Luther	Orfield	Skoglund	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	McElroy	Rhodes	Van Dellen
Abrams	Dempsey	Harder	Molnau	Rifenberg	Vandever
Anderson, B.	Dorman	Holberg	Mulder	Rostberg	Westerberg
Bishop	Erhardt	Holsten	Ness	Seagren	Westfall
Boudreau	Erickson	Howes	Nornes	Seifert, M.	Westrom
Bradley	Finseth	Kielkucki	Olson	Stanek	Wilkin
Broecker	Fuller	Knoblach	Osskopp	Stang	Wolf
Buesgens	Gerlach	Krinkie	Ozment	Storm	Workman
Cassell	Goodno	Kuisle	Paulsen	Swenson	Spk. Sviggum
Clark, J.	Gunther	Leppik	Pawlenty	Sykora	
Daggett	Haake	Lindner	Pelowski	Tingelstad	
Davids	Haas	Mares	Reuter	Tuma	

The motion did not prevail and the amendment was not adopted.

Rukavina, Pugh and Leighton offered an amendment to H. F. No. 2390, the first engrossment, as amended.

#### POINT OF ORDER

McElroy raised a point of order pursuant to rule 3.21 that the Rukavina et al amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Rukavina et al amendment out of order.

Rukavina appealed the decision of Speaker pro tempore Abrams.

A roll call was requested and properly seconded.

#### CALL OF THE HOUSE

On the motion of Rukavina and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dorn	Howes	Mahoney	Pawlenty	Swenson
Abrams	Entenza	Huntley	Mares	Paymar	Sykora
Anderson, B.	Erhardt	Jaros	Mariani	Pelowski	Tingelstad
Anderson, I.	Erickson	Jennings	Marko	Peterson	Tomassoni
Bakk	Finseth	Johnson	McCollum	Pugh	Trimble
Biernat	Folliard	Juhnke	McElroy	Rest	Tunheim
Bishop	Fuller	Kahn	McGuire	Reuter	Van Dellen
Boudreau	Gerlach	Kalis	Milbert	Rhodes	Vandever
Bradley	Gleason	Kelliher	Molnau	Rifenberg	Wagenius
Broecker	Goodno	Kielkucki	Mulder	Rostberg	Wejcman
Buesgens	Gray	Koskinen	Mullery	Rukavina	Wenzel
Carlson	Greenfield	Krinkie	Munger	Schumacher	Westerberg
Carruthers	Greiling	Kubly	Murphy	Seagren	Westfall
Cassell	Gunther	Kuisle	Ness	Seifert, J.	Westrom
Chaudhary	Haake	Larsen, P.	Nornes	Seifert, M.	Wilkin
Clark, J.	Haas	Larson, D.	Olson	Skoe	Winter
Clark, K.	Hackbarth	Leighton	Opatz	Skoglund	Wolf
Daggett	Harder	Lenczewski	Orfield	Smith	Workman
Davids	Hasskamp	Leppik	Osthoff	Solberg	Spk. Sviggum
Dawkins	Hausman	Lieder	Otremba	Stanek	
Dempsey	Hilty	Lindner	Ozment	Stang	
Dorman	Holberg	Luther	Paulsen	Storm	

Pawlenty moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

#### LAY ON THE TABLE

Pawlenty moved to lay the Rukavina appeal of the decision of Speaker pro tempore Abrams on the table.

A roll call was requested and properly seconded.

The question was taken on the Pawlenty motion and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 70 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Harder	McElroy	Rifenberg	Tuma
Abrams	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Bishop	Erhardt	Holsten	Mulder	Seagren	Vandever
Boudreau	Erickson	Howes	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Knoblach	Olson	Smith	Westrom
Buesgens	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuisle	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Haas	Lindner	Reuter	Sykora	
Dehler	Hackbarth	Mares	Rhodes	Tingelstad	

Those who voted in the negative were:

Anderson, B.	Folliard	Johnson	Luther	Orfield	Skoglund
Anderson, I.	Gleason	Juhnke	Mahoney	Osthoff	Solberg
Bakk	Gray	Kahn	Mariani	Otremba	Tomassoni
Biernat	Greenfield	Kalis	Marko	Paymar	Trimble
Carlson	Greiling	Kelliher	McCollum	Pelowski	Tunheim
Carruthers	Hasskamp	Koskinen	McGuire	Peterson	Wagenius
Chaudhary	Hausman	Kubly	Milbert	Pugh	Wejzman
Clark, K.	Hilty	Larson, D.	Mullery	Rest	Wenzel
Dawkins	Huntley	Leighton	Munger	Rukavina	Winter
Dorn	Jaros	Lenczewski	Murphy	Schumacher	
Entenza	Jennings	Lieder	Opatz	Skoe	

The motion prevailed and the appeal of the decision of Speaker pro tempore Abrams was laid on the table.

#### CALL OF THE HOUSE LIFTED

Trimble moved that the call of the House be suspended. The motion prevailed and it was so ordered.

Trimble offered an amendment to H. F. No. 2390, the first engrossment, as amended.

#### POINT OF ORDER

McElroy raised a point of order pursuant to rule 4.03 relating to the Ways and Means Committee; Budget Resolution; Effect on Expenditure and Revenue Bills that the Trimble amendment was out of order.

Pursuant to section 245 of "Mason's Manual of Legislative Procedure," Speaker pro tempore Abrams submitted the following question to the House: "Is it the judgment of the House that the McElroy point of order is well taken?"

A roll call was requested and properly seconded.

The question was taken on the McElroy point of order and the roll was called. There were 71 yeas and 63 nays as follows:

Those who voted in the affirmative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Tingelstad
Abrams	Dempsey	Harder	McElroy	Rifenberg	Tuma
Anderson, B.	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Bishop	Erhardt	Holsten	Mulder	Seagren	Vandever
Boudreau	Erickson	Howes	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Knoblach	Olson	Smith	Westrom
Buesgens	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuise	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Haas	Lindner	Reuter	Sykora	

Those who voted in the negative were:

Anderson, I.	Gleason	Juhnke	Mahoney	Osthoff	Solberg
Bakk	Gray	Kahn	Mariani	Otremba	Tomassoni
Biernat	Greenfield	Kalis	Marko	Paymar	Trimble
Carlson	Greiling	Kelliher	McCollum	Pelowski	Tunheim
Carruthers	Hasskamp	Koskinen	McGuire	Peterson	Wagenius
Chaudhary	Hausman	Kubly	Milbert	Pugh	Wejcman
Clark, K.	Hilty	Larson, D.	Mullery	Rest	Wenzel
Dawkins	Huntley	Leighton	Munger	Rukavina	Winter
Dorn	Jaros	Lenczewski	Murphy	Schumacher	
Entenza	Jennings	Lieder	Opatz	Skoe	
Folliard	Johnson	Luther	Orfield	Skoglund	

So it was the judgment of the House that the McElroy point of order relating to rule 4.03 was well taken and the Trimble amendment was out of order.

Clark, K.; Leighton; Trimble; Jaros; Mariani; Anderson, I.; Gray; Munger; Orfield; Dawkins; Tomassoni; Kubly; Osskopp; Jennings; Huntley and Greiling offered an amendment to H. F. No. 2390, the first engrossment, as amended.

#### POINT OF ORDER

Stang raised a point of order pursuant to rule 3.21 that the Clark, K., et al amendment was not in order. Speaker pro tempore Abrams ruled the point of order well taken and the Clark, K., et al amendment out of order.

Clark, K., appealed the decision of Speaker pro tempore Abrams.

The vote was taken on the question "Shall the decision of Speaker pro tempore Abrams stand as the judgment of the House?" It was the judgment of the House that the decision of Speaker pro tempore Abrams should stand.

The Speaker resumed the Chair.

Tomassoni, Bakk, Solberg, Rukavina, Howes and Anderson, I., moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Pages 43 and 44, delete section 33

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Tomassoni et al amendment and the roll was called. There were 62 yeas and 68 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Juhnke	Mahoney	Osthoff	Tomassoni
Bakk	Greenfield	Kahn	Mariani	Otremba	Trimble
Biernat	Greiling	Kalis	McCollum	Pelowski	Tunheim
Carlson	Hasskamp	Kelliher	McGuire	Peterson	Wagenius
Carruthers	Hausman	Koskinen	Milbert	Pugh	Wejman
Chaudhary	Hilty	Kubly	Mullery	Rest	Wenzel
Clark, K.	Howes	Larson, D.	Munger	Rukavina	Winter
Dorn	Huntley	Leighton	Murphy	Schumacher	
Entenza	Jaros	Lenczewski	Opatz	Skoe	
Folliard	Jennings	Lieder	Orfield	Skoglund	
Gleason	Johnson	Luther	Osskopp	Solberg	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	McElroy	Seagren	Vandever
Abrams	Dempsey	Harder	Molnau	Seifert, J.	Westerberg
Anderson, B.	Dorman	Holberg	Mulder	Seifert, M.	Westfall
Bishop	Erhardt	Kielkucki	Ness	Smith	Westrom
Boudreau	Erickson	Knoblach	Nornes	Stanek	Wilkin
Bradley	Finseth	Krinkie	Olson	Stang	Wolf
Broecker	Fuller	Kuisle	Paulsen	Storm	Workman
Buesgens	Gerlach	Larsen, P.	Pawlenty	Swenson	Spk. Sviggum
Cassell	Goodno	Leppik	Reuter	Sykora	
Clark, J.	Gunther	Lindner	Rhodes	Tingelstad	
Daggett	Haake	Mares	Rifenberg	Tuma	
Davids	Haas	Marko	Rostberg	Van Dellen	

The motion did not prevail and the amendment was not adopted.

Mullery; Clark, K.; Hasskamp; Anderson, I.; Gray; Koskinen; McCollum; Folliard; Dawkins; Tomassoni; Orfield; Munger; Huntley; Jennings and Greiling moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 7, line 9, delete "5,830,000" and insert "5,730,000"

Page 7, line 9, delete "5,630,000" and insert "5,530,000"

Page 7, line 10, delete "5,055,000" and insert "4,955,000"

Page 7, line 11, delete "5,055,000" and insert "4,955,000"

Page 9, after line 55, insert:

"\$100,000 the first year and \$100,000 the second year is for grants to nonprofit organizations for programs that encourage and assist women to enter nontraditional careers in the trades and in manual and technical occupations. The appropriation is available until June 30, 2001.

To be eligible for a grant under this section, a program must include at least one of the following:

(1) outreach to girls and women through public and private elementary, junior high and high schools, appropriate community organizations, or existing state and county employment and training programs. The outreach must consist of general information concerning opportunities for women in the trades, manual, and technical occupations, including specific fields where worker shortages exist and specific information about training programs offered. The outreach may include printed or recorded information, hands-on experiences for women and girls, presentations to women and girls, or on-going contact with appropriate staff; or

(2) assistance for women to enter careers in the trades and technical occupations as follows:

(a) training designed to prepare women to succeed in nontraditional occupations, conducted by the grantee or in collaboration with another institution. The training shall cover the knowledge and skills required for the trade, information about on-the-job realities for women in the particular trade, physical strength, and stamina training as needed, opportunities for developing workplace problem-solving skills, and information about the current and projected future job market and likely career paths;

(b) assistance with child care and transportation during training, job search, and the first two months of employment for low-income women;

(c) job placement assistance during and for at least two years after completion of the training program; and

(d) job retention support. This may take the form of mentorship programs, support groups, or on-going staff contact for at least the first year of placement in a job after completion of training, and should include access to job-related information, assistance with workplace issues resolution, and access to advocacy.

Approved programs must be accessible to MFIP-S participants and other low-income women. Factors that contribute to accessibility include: (i) affordability of tuition and supplies; (ii) geographic proximity to low-income neighborhoods, child care, and transportation routes; and (iii) flexibility of hours per week and duration of program to be compatible with family needs and the need for employment during training.

All general state-funded employment and training programs shall include information about opportunities for women in nontraditional careers in the trades and technical occupations."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

Adjust fund totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Mullery et al amendment and the roll was called. There were 61 yeas and 72 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Gray	Kahn	Mariani	Otremba	Trimble
Bakk	Greenfield	Kalis	Marko	Paymar	Tunheim
Biernat	Greiling	Kelliher	McCollum	Peterson	Wagenius
Carlson	Hasskamp	Koskinen	McGuire	Pugh	Wejman
Carruthers	Hausman	Kubly	Milbert	Rest	Wenzel
Chaudhary	Hilty	Larson, D.	Mullery	Rukavina	Winter
Clark, K.	Huntley	Leighton	Munger	Schumacher	
Dorn	Jaros	Lenczewski	Murphy	Skoe	
Entenza	Jennings	Lieder	Opatz	Skoglund	
Folliard	Johnson	Luther	Orfield	Solberg	
Gleason	Juhnke	Mahoney	Osthoff	Tomassoni	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Reuter	Sykora
Abrams	Dempsey	Harder	McElroy	Rhodes	Tingelstad
Anderson, B.	Dorman	Holberg	Molnau	Rifenberg	Tuma
Bishop	Erhardt	Holsten	Mulder	Rostberg	Van Dellen
Boudreau	Erickson	Howes	Ness	Seagren	Vandever
Bradley	Finseth	Kielkucki	Nornes	Seifert, J.	Westerberg
Broecker	Fuller	Knoblach	Olson	Seifert, M.	Westfall
Buesgens	Gerlach	Krinkie	Osskopp	Smith	Westrom
Cassell	Goodno	Kuisle	Ozment	Stanek	Wilkin
Clark, J.	Gunther	Larsen, P.	Paulsen	Stang	Wolf
Daggett	Haake	Leppik	Pawlenty	Storm	Workman
Davids	Haas	Lindner	Pelowski	Swenson	Spk. Sviggum

The motion did not prevail and the amendment was not adopted.

Gray and Osthoff were excused for the remainder of today's session.

The Speaker called Boudreau to the Chair.

Winter and Skoglund moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Delete Article 2, section 12

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Winter and Skoglund amendment and the roll was called. There were 60 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Lieder	Murphy	Skoe
Bakk	Gleason	Juhnke	Luther	Opatz	Skoglund
Biernat	Greenfield	Kahn	Mahoney	Orfield	Solberg
Carlson	Greiling	Kalis	Mariani	Otremba	Tomassoni
Carruthers	Hasskamp	Kelliher	Marko	Paymar	Trimble
Chaudhary	Hausman	Koskinen	McCollum	Pelowski	Tunheim
Clark, K.	Hilty	Kubly	McGuire	Peterson	Wagenius
Dawkins	Huntley	Larson, D.	Milbert	Pugh	Wejzman
Dorn	Jaros	Leighton	Mullery	Rukavina	Wenzel
Entenza	Jennings	Lenczewski	Munger	Schumacher	Winter

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Tingelstad
Abrams	Dempsey	Harder	McElroy	Rifenberg	Tuma
Anderson, B.	Dorman	Holberg	Molnau	Rostberg	Van Dellen
Bishop	Erhardt	Holsten	Mulder	Seagren	Vandever
Boudreau	Erickson	Howes	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Knoblach	Olson	Smith	Westrom
Buesgens	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuisle	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Haas	Lindner	Reuter	Sykora	

The motion did not prevail and the amendment was not adopted.

Clark, K., and Chaudhary moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 3, after line 20, insert:

"Community-Based Economic Development

\$1,000,000 the first year is for community resources program allocations to cities under Minnesota Statutes, sections 466A.01 to 466A.08. This is a one-time appropriation and is not added to the agency's base.

\$100,000 the first year and \$100,000 the second year is for statewide grants to community development corporations under Minnesota Statutes, section 116J.982, for the purpose of continuing the partnership between local community development agencies, the private sector, and state government.

\$100,000 the first year and \$100,000 the second year are for grants to Hennepin County and Ramsey County to establish community development corporations targeting Asian-Pacific Minnesotans.

\$50,000 the first year is for a grant to the nonprofit Asian-Pacific Community Center to plan and design an Asian-Pacific Community Center to be located in the city of St. Paul. Each dollar of the appropriation must be matched by 60 cents of nonstate money. The appropriation does not cancel. This is a one-time appropriation and is not added to the agency's base.

\$240,000 the first year and \$240,000 the second year are for enterprise zone incentive grants under Minnesota Statutes, sections 469.305 to 469.31."

Page 4, delete lines 22 to 29

Page 7, line 9, delete "5,830,000" and insert "4,540,000"

Page 7, line 9, delete "5,630,000" and insert "5,390,000"

Page 7, line 10, delete "5,055,000" and insert "3,765,000"

Page 7, line 11, delete "5,055,000" and insert "4,815,000"

Page 59, line 24, delete everything after "462A.28"

Page 59, line 25, delete everything before "are"

Adjust fund totals accordingly

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Clark, K., and Chaudhary amendment and the roll was called. There were 56 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Kahn	Mahoney	Paymar	Trimble
Bakk	Gleason	Kalis	Mariani	Pelowski	Tunheim
Biernat	Greenfield	Kelliher	McCollum	Peterson	Wagenius
Carlson	Greiling	Koskinen	McGuire	Pugh	Wejcman
Carruthers	Hasskamp	Kubly	Milbert	Rukavina	Wenzel
Chaudhary	Hausman	Larson, D.	Mullery	Schumacher	Winter
Clark, K.	Hilty	Leighton	Munger	Skoe	
Dawkins	Jaros	Lenczewski	Murphy	Skoglund	
Dorn	Johnson	Lieder	Orfield	Solberg	
Entenza	Juhnke	Luther	Otremba	Tomassoni	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	McElroy	Rifenberg	Van Dellen
Abrams	Dorman	Holsten	Molnau	Rostberg	Vandever
Anderson, B.	Erhardt	Howes	Mulder	Seagren	Westerberg
Bishop	Erickson	Huntley	Ness	Seifert, J.	Westfall
Boudreau	Finseth	Jennings	Nornes	Seifert, M.	Westrom
Bradley	Fuller	Kielkucki	Olson	Smith	Wilkin
Broecker	Gerlach	Knoblach	Osskopp	Stanek	Wolf
Buesgens	Goodno	Krinkie	Ozment	Stang	Workman
Cassell	Gunther	Kuisle	Paulsen	Storm	Spk. Sviggum
Clark, J.	Haake	Larsen, P.	Pawlenty	Swenson	
Daggett	Haas	Leppik	Rest	Sykora	
Davids	Hackbarth	Lindner	Reuter	Tingelstad	
Dehler	Harder	Mares	Rhodes	Tuma	

The motion did not prevail and the amendment was not adopted.

Holberg was excused between the hours of 6:35 p.m. and 8:50 p.m.

Clark, K.; Leighton and Chaudhary moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Pages 42 and 43, delete section 31

Page 43, after line 8, insert:

"Sec. 31. Minnesota Statutes 1998, section 268.022, subdivision 2, is amended to read:

Subd. 2. [DISBURSEMENT OF SPECIAL ASSESSMENT FUNDS.] (a) The money collected under this section shall be deposited in the state treasury and credited to a dedicated fund to provide for the employment and training programs established under sections 268.975 to 268.98; including vocational guidance, training, placement, and job development.

(b) All money in the dedicated fund is appropriated to the commissioner who must act as the fiscal agent for the money and must disburse the money for the purposes of this section, not allowing the money to be used for any other obligation of the state. All money in the dedicated fund shall be deposited, administered, and disbursed in the same manner and under the same conditions and requirements as are provided by law for the other dedicated funds in the state treasury, except that all interest or net income resulting from the investment or deposit of money in the fund shall accrue to the fund for the purposes of the fund.

(c) No more than five percent of the dedicated funds collected in each fiscal year may be used by the department of economic security for its administrative costs.

(d) Reimbursement for costs related to collection of the special assessment shall be in an amount negotiated between the commissioner and the United States Department of Labor.

(e) The dedicated funds, less amounts under paragraphs (c) and (d) shall be allocated as follows:

(1) 60 percent to be allocated annually to substate grantees for provision of expeditious response activities under section 268.9771 and to substate grantees and additional organizations deemed eligible pursuant to section 268.9781, subdivision 2 for provision of worker adjustment services under section 268.9781; and

(2) 40 percent to be allocated to activities and programs authorized under sections 268.975 to 268.98.

(f) Any funds not allocated, obligated, or expended in a fiscal year shall be available for allocation, obligation, and expenditure in the following fiscal year.

Sec. 32. Minnesota Statutes 1998, section 268.9781, is amended by adding a subdivision to read:

Subd. 3a. [NONTRADITIONAL OCCUPATIONS FOR WOMEN.] A worker adjustment services plan may include training designed to prepare women to succeed in nontraditional occupations, conducted by the grantee or in collaboration with another institution. The training shall cover the knowledge and skills required for the trade, information about on-the-job realities for women in the particular trade, physical strength and stamina training as needed, opportunities for developing workplace problem-solving skills, and information about the current and projected future job market and likely career paths.

Sec. 33. Minnesota Statutes 1998, section 268.9781, subdivision 4, is amended to read:

Subd. 4. [~~SUBSTATE GRANTEE FUNDING.~~] (a) Funds allocated to substate grantees and additional eligible organizations under section 268.022 for expeditious response activities and worker adjustment services under this section shall be allocated as follows:

(1) one-half of available funds shall be allocated to substate grantees and additional eligible organizations based on an allocation formula prescribed by the commissioner, in consultation with the workforce development council; and

(2) one-half of available funds shall be allocated to substate grantees and additional eligible organizations based on need as demonstrated to the commissioner in consultation with the workforce development council.

(b) The formula for allocating ~~substate grantee~~ funds must utilize the most appropriate information available to the commissioner to distribute funds in order to address the state's worker adjustment assistance needs. Information for the formula allocation may include, but is not limited to:

(1) insured unemployment data;

(2) dislocated worker special assessment receipts data;

- (3) small plant closing data;
- (4) declining industries data;
- (5) farmer-rancher economic hardship data; and
- (6) long-term unemployment data.

(c) The commissioner shall establish a uniform procedure for reallocating ~~substate grantee~~ funds. The criteria for reallocating funds from ~~substate~~ grantees not expending their allocations consistent with their worker adjustment services plans to other ~~substate~~ grantees shall be developed by the commissioner in consultation with the workforce development council."

Page 43, line 22, after "subdivision 13" insert ", except that flexibility is provided for the allocation of up to 30 percent of funds for support services targeted toward payment of health care or health insurance expenses and toward the prevention of homelessness"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Clark, K., et al amendment and the roll was called. There were 44 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Kalis	McCollum	Peterson	Tunheim
Bakk	Greenfield	Kelliher	McGuire	Pugh	Wagenius
Biernat	Greiling	Koskinen	Milbert	Rukavina	Wejcman
Carlson	Haskamp	Leighton	Mullery	Skoe	Winter
Chaudhary	Hausman	Lenczewski	Munger	Skoglund	
Clark, K.	Jaros	Lieder	Murphy	Solberg	
Dawkins	Johnson	Mahoney	Orfield	Tomassoni	
Entenza	Kahn	Mariani	Paymar	Trimble	

Those who voted in the negative were:

Abeler	Dorman	Holsten	McElroy	Rhodes	Tuma
Abrams	Dorn	Howes	Molnau	Rifenberg	Van Dellen
Anderson, B.	Erhardt	Huntley	Mulder	Rostberg	Vandever
Bishop	Erickson	Jennings	Ness	Schumacher	Wenzel
Boudreau	Finseth	Juhnke	Nornes	Seagren	Westerberg
Bradley	Fuller	Kielkucki	Olson	Seifert, J.	Westfall
Broecker	Gerlach	Knoblach	Opatz	Seifert, M.	Westrom
Buesgens	Gleason	Krinkie	Osskopp	Smith	Wilkin
Cassell	Goodno	Kubly	Otremba	Stanek	Wolf
Clark, J.	Gunther	Kuise	Ozment	Stang	Workman
Daggett	Haake	Larsen, P.	Paulsen	Storm	Spk. Sviggum
Davids	Haas	Leppik	Pawlenty	Swenson	
Dehler	Hackbarth	Lindner	Pelowski	Sykora	
Dempsey	Harder	Mares	Reuter	Tingelstad	

The motion did not prevail and the amendment was not adopted.

Kahn; Winter; Munger; Tunheim; Hilty; Leighton; Hausman; Osskopp; Wagenius; Wenzel; Kalis; Dehler; Peterson; Anderson, B.; Gunther; Jaros; Rostberg; Skoe; Trimble; Murphy; Otremba; Kubly and Bishop moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 5, after line 51, insert:

"Not later than October 1, 1999, the commissioner shall conduct a thorough review of the economic impact of recent regulatory changes in Canada law and rule that allow for the development of an industrial hemp industry in that country. The commissioner shall report findings of the review to the legislature."

A roll call was requested and properly seconded.

The question was taken on the Kahn et al amendment and the roll was called. There were 53 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Finseth	Juhnke	McGuire	Paymar	Trimble
Bakk	Gleason	Kahn	Milbert	Peterson	Tunheim
Biernat	Greenfield	Kalis	Mullery	Rostberg	Van Dellen
Cassell	Greiling	Kelliher	Munger	Rukavina	Wagenius
Chaudhary	Gunther	Kubly	Murphy	Schumacher	Wejczman
Clark, K.	Hausman	Leighton	Nornes	Skoe	Wenzel
Dawkins	Hilty	Lieder	Orfield	Skoglund	Westfall
Dehler	Jaros	Mahoney	Osskopp	Solberg	Winter
Dorn	Johnson	Mariani	Otremba	Tomassoni	

Those who voted in the negative were:

Abeler	Dempsey	Hasskamp	Leppik	Paulsen	Stang
Abrams	Dorman	Holsten	Lindner	Pawlenty	Storm
Anderson, B.	Entenza	Howes	Luther	Pelowski	Swenson
Bishop	Erhardt	Huntley	Mares	Pugh	Sykora
Boudreau	Erickson	Jennings	Marko	Rest	Tingelstad
Bradley	Folliard	Kielkucki	McCollum	Reuter	Tuma
Broecker	Fuller	Knoblach	McElroy	Rhodes	Vandever
Buesgens	Gerlach	Koskinen	Molnau	Rifenberg	Westerberg
Carlson	Goodno	Krinkie	Mulder	Seagren	Westrom
Carruthers	Haake	Kuisle	Ness	Seifert, J.	Wilkin
Clark, J.	Haas	Larsen, P.	Olson	Seifert, M.	Wolf
Daggett	Hackbarth	Larson, D.	Opatz	Smith	Workman
Davids	Harder	Lenczewski	Ozment	Stanek	Spk. Sviggum

The motion did not prevail and the amendment was not adopted.

Munger was excused for the remainder of today's session.

Hasskamp moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 4, line 59, after "center" insert "and/or Camp Knutson in Cross Lake"

Page 6, line 55, after "Mille Lacs" insert "and Brainerd Lakes"

A roll call was requested and properly seconded.

The question was taken on the Hasskamp amendment and the roll was called. There were 49 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Jennings	Luther	Peterson	Wagenius
Bakk	Folliard	Johnson	Mahoney	Pugh	Wejcman
Biernat	Gleason	Juhnke	Mariani	Rukavina	Wenzel
Carlson	Greenfield	Kalis	McGuire	Schumacher	Winter
Carruthers	Greiling	Kelliher	Mullery	Skoglund	
Chaudhary	Hasskamp	Koskinen	Murphy	Solberg	
Clark, K.	Hausman	Kubly	Orfield	Tomassoni	
Dawkins	Huntley	Larson, D.	Otremba	Trimble	
Dorn	Jaros	Leighton	Pelowski	Tunheim	

Those who voted in the negative were:

Abeler	Dempsey	Hilty	McElroy	Reuter	Sykora
Abrams	Dorman	Holsten	Molnau	Rhodes	Tingelstad
Anderson, B.	Erhardt	Howes	Mulder	Rifenberg	Tuma
Bishop	Erickson	Kielkucki	Ness	Rostberg	Van Dellen
Boudreau	Finseth	Knoblach	Nornes	Seagren	Vandever
Bradley	Fuller	Krinkie	Olson	Seifert, J.	Westerberg
Broecker	Gerlach	Kuisle	Opatz	Seifert, M.	Westfall
Buesgens	Goodno	Larsen, P.	Osskopp	Skoe	Westrom
Cassell	Gunther	Lenczewski	Ozment	Smith	Wilkin
Clark, J.	Haake	Leppik	Paulsen	Stanek	Wolf
Daggett	Haas	Lieder	Pawlenty	Stang	Workman
Davids	Hackbarth	Lindner	Paymar	Storm	Spk. Sviggum
Dehler	Harder	Mares	Rest	Swenson	

The motion did not prevail and the amendment was not adopted.

Wenzel and Dehler moved to amend H. F. No. 2390, the first engrossment, as amended, as follows:

Page 59, after line 18, insert:

"Sec. 51. [FISHING MUSEUM STUDY.]

The commissioners of trade and economic development and natural resources shall collaborate to complete and update the fishing museum study required by Laws 1997, chapter 200, article 1, section 18, subdivision 5, paragraph (m). The study shall examine what artifacts should be included relating to the history of fishing in

Minnesota and how such a museum could contribute to the promotion of tourism in Minnesota. The completed and updated study must be submitted to the house of representatives and senate committees with jurisdiction over natural resources and tourism policy and finance by January 15, 2000."

Re-number the sections in sequence and correct the internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

H. F. No. 2390, A bill for an act relating to state government; appropriating money for economic development and certain agencies of state government; establishing and modifying programs; regulating activities and practices; modifying fees; eliminating certain boards; transferring regulatory authority over health maintenance organizations and similar entities to the commissioner of commerce; making conforming changes; requiring reports; amending Minnesota Statutes 1998, sections 45.0295; 53A.03; 53A.05, subdivision 1; 60A.14, subdivision 1; 60A.23, subdivision 8; 60A.71, subdivision 7; 60B.02; 60B.03, subdivisions 2 and 4; 60B.15; 60B.20; 60G.01, subdivisions 2 and 4; 60K.06, subdivision 2; 62A.61; 62D.01, subdivision 2; 62D.02, subdivision 3, and by adding a subdivision; 62D.03, subdivisions 1, 3, and 4; 62D.04, subdivisions 1, 2, 4, and by adding a subdivision; 62D.05, subdivision 6; 62D.06, subdivision 2; 62D.07, subdivisions 2, 3, and 10; 62D.08, subdivisions 1, 2, 3, 4, and 5; 62D.09, subdivisions 1 and 8; 62D.10, subdivision 4; 62D.11, subdivisions 1b, 2, 3, and by adding a subdivision; 62D.12, subdivisions 1, 2, and 9; 62D.121, subdivisions 3a and 7; 62D.14, subdivisions 1, 3, 4, 5, and 6; 62D.15, subdivisions 1 and 4; 62D.16, subdivisions 1 and 2; 62D.17, subdivisions 1, 3, 4, and 5; 62D.18, subdivisions 1 and 7; 62D.19; 62D.20, subdivision 1; 62D.21; 62D.211; 62D.22, subdivisions 4 and 10; 62D.24; 62D.30, subdivisions 1 and 3; 62L.02, subdivision 8; 62L.05, subdivision 12; 62L.08, subdivisions 10 and 11; 62M.11; 62M.16; 62N.02, subdivision 4; 62N.26; 62N.31, subdivision 1; 62Q.01, subdivision 2; 62Q.07; 62Q.075, subdivision 4; 62Q.105, subdivisions 6 and 7; 62Q.11; 62Q.22, subdivisions 2, 6, and 7; 62Q.32; 62Q.51, subdivision 3; 62Q.525, subdivision 3; 62R.04, subdivision 5; 62R.25; 62T.01, subdivision 4; 65B.48, subdivision 3; 70A.14, subdivision 4; 72A.139, subdivision 2; 72B.04, subdivision 10; 79.255, subdivision 10; 80A.28, subdivision 1; 82A.08, subdivision 2; 82A.16, subdivisions 2 and 6; 116J.415, subdivision 5; 116J.421, subdivision 3, and by adding subdivisions; 116J.63, subdivision 4; 116J.8745, subdivisions 1 and 2; 116L.03, subdivision 5; 116L.04, subdivision 1a; 116L.06, subdivision 4; 175.17; 176.181, subdivision 2a; 237.295, subdivision 1; 268.022, subdivision 1; 268.98, subdivision 3; 298.22, subdivision 2; 326.244, subdivision 2, and by adding a subdivision; 326.86, subdivision 1; 446A.072, subdivision 4; 462A.20, subdivision 2, and by adding a subdivision; 462A.204, by adding a subdivision; 462A.209; and 462A.21, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 116J; and 178; repealing Minnesota Statutes 1998, sections 44A.001; 44A.01; 44A.02; 44A.023; 44A.025; 44A.031; 44A.0311; 44A.06; 44A.08; 44A.11; 62D.18; 62L.11, subdivision 2; 62Q.45, subdivision 1; 138A.01; 138A.02; 138A.03; 138A.04; 138A.05; 138A.06; 341.01; 341.02; 341.04; 341.045; 341.05; 341.06; 341.07; 341.08; 341.09; 341.10; 341.11; 341.115; 341.12; 341.13; 341.15; 462A.28; 469.305; 469.306; 469.307; 469.308; and 469.31; Laws 1998, chapter 404, section 13, subdivision 5.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 72 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abeler	Bradley	Daggett	Erhardt	Goodno	Harder
Abrams	Broecker	Davids	Erickson	Gunther	Holsten
Anderson, B.	Buesgens	Dehler	Finseth	Haake	Howes
Bishop	Cassell	Dempsey	Fuller	Haas	Huntley
Boudreau	Clark, J.	Dorman	Gerlach	Hackbarth	Kielkucki

Knoblach	McElroy	Ozment	Seagren	Swenson	Westerberg
Krinkie	Molnau	Paulsen	Seifert, J.	Sykora	Westfall
Kuisle	Mulder	Pawlenty	Seifert, M.	Tingelstad	Westrom
Larsen, P.	Ness	Reuter	Smith	Trimble	Wilkin
Leppik	Nornes	Rhodes	Stanek	Tuma	Wolf
Lindner	Olson	Rifenberg	Stang	Van Dellen	Workman
Mares	Osskopp	Rostberg	Storm	Vandevier	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Gleason	Kahn	Mariani	Pelowski	Tunheim
Bakk	Greenfield	Kalis	Marko	Peterson	Wagenius
Biernat	Greiling	Koskinen	McCollum	Pugh	Wejcman
Carlson	Hasskamp	Kubly	McGuire	Rest	Wenzel
Carruthers	Hausman	Larson, D.	Milbert	Rukavina	Winter
Chaudhary	Hilty	Leighton	Mullery	Schumacher	
Dawkins	Jaros	Lenczewski	Opatz	Skoe	
Dorn	Jennings	Lieder	Orfield	Skoglund	
Entenza	Johnson	Luther	Otremba	Solberg	
Folliard	Juhnke	Mahoney	Paymar	Tomassoni	

The bill was passed, as amended, and its title agreed to.

## FISCAL CALENDAR

Pursuant to rule 1.22, Bishop requested immediate consideration of H. F. No. 2387.

H. F. No. 2387 was reported to the House.

The Speaker resumed the Chair.

Molnau moved to amend H. F. No. 2387, the first engrossment, as follows:

Page 34, after line 26, insert:

"Sec. 33. Minnesota Statutes 1998, section 296A.18, subdivision 3, is amended to read:

Subd. 3. [SNOWMOBILE.] In fiscal years 2000 and subsequent years, approximately ~~one percent in fiscal years 1998 and 1999, and~~ three-fourths of one percent ~~thereafter~~, of all gasoline received in and produced or brought into this state, except gasoline used for aviation purposes, is being used as fuel for the operation of snowmobiles in this state, and of the total revenue derived from the imposition of the gasoline fuel tax for uses other than for aviation purposes in fiscal year 2000 and subsequent years, ~~one percent in fiscal years 1998 and 1999, and~~ three-fourths of one percent ~~thereafter~~, of such revenues is the amount of tax on fuel used in snowmobiles operated in this state."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Molnau amendment and the roll was called. There were 66 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abeler	Davids	Haas	Mares	Rhodes	Sykora
Abrams	Dempsey	Hackbarth	McElroy	Rifenberg	Tingelstad
Anderson, B.	Dorman	Harder	Molnau	Rostberg	Tuma
Bishop	Erhardt	Holsten	Mulder	Seagren	Vandever
Boudreau	Erickson	Kielkucki	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Knoblach	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Krinkie	Olson	Smith	Westrom
Buesgens	Gerlach	Kuisle	Osskopp	Stanek	Wilkin
Cassell	Goodno	Larsen, P.	Paulsen	Stang	Wolf
Clark, J.	Gunther	Leppik	Pawlenty	Storm	Workman
Daggett	Haake	Lindner	Reuter	Swenson	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Folliard	Juhnke	Mahoney	Paymar	Trimble
Bakk	Gleason	Kahn	Mariani	Pelowski	Tunheim
Biernat	Greenfield	Kalis	Marko	Peterson	Van Dellen
Carlson	Hasskamp	Kelliher	McCollum	Pugh	Wejzman
Carruthers	Hausman	Koskinen	McGuire	Rest	Wenzel
Chaudhary	Hilty	Kubly	Milbert	Rukavina	Winter
Clark, K.	Howes	Larson, D.	Mullery	Schumacher	
Dawkins	Huntley	Leighton	Murphy	Skoe	
Dehler	Jaros	Lenczewski	Opatz	Skoglund	
Dorn	Jennings	Lieder	Otremba	Solberg	
Entenza	Johnson	Luther	Ozment	Tomassoni	

The motion prevailed and the amendment was adopted.

Opatz moved to amend H. F. No. 2387, the first engrossment, as amended, as follows:

Page 25, after line 15, insert:

"Sec. 23. Minnesota Statutes 1998, section 169.345, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] For the purpose of this section, "physically disabled person" means a person who:

- (1) because of disability cannot walk without significant risk of falling;
- (2) because of disability cannot walk 200 feet without stopping to rest;
- (3) because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;
- (4) is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one liter;
- (5) has an arterial oxygen tension (PAO<sub>2</sub>) of less than 60 mm/Hg on room air at rest;

(6) uses portable oxygen;

(7) has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association;

(8) has lost an arm or a leg and does not have or cannot use an artificial limb; ~~or~~

(9) has a disability that would be aggravated by walking 200 feet under normal environmental conditions to an extent that would be life threatening; or

(10) has a specific medical condition related to pregnancy and whose physician or chiropractor certifies that walking would aggravate that condition to the extent that it could endanger the life or health of the person or fetus."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Opatz amendment and the roll was called. There were 129 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abeler	Dorman	Howes	Luther	Paymar	Sykora
Abrams	Dorn	Huntley	Mahoney	Pelowski	Tingelstad
Anderson, B.	Entenza	Jaros	Mares	Peterson	Tomassoni
Anderson, I.	Erhardt	Jennings	Mariani	Pugh	Trimble
Bakk	Erickson	Johnson	Marko	Rest	Tuma
Biernat	Finseth	Juhnke	McElroy	Reuter	Tunheim
Bishop	Folliard	Kahn	McGuire	Rhodes	Van Dellen
Boudreau	Fuller	Kalis	Milbert	Rifenberg	Vandever
Bradley	Gerlach	Kelliher	Molnau	Rostberg	Wagenius
Broecker	Gleason	Kielkucki	Mulder	Rukavina	Wejzman
Buesgens	Goodno	Knoblach	Mullery	Schumacher	Wenzel
Carlson	Greenfield	Koskinen	Murphy	Seagren	Westerberg
Carruthers	Greiling	Krinkie	Ness	Seifert, J.	Westfall
Cassell	Gunther	Kubly	Nornes	Seifert, M.	Westrom
Chaudhary	Haake	Kuisle	Olson	Skoe	Wilkin
Clark, J.	Haas	Larsen, P.	Opatz	Skoglund	Winter
Clark, K.	Hackbarth	Larson, D.	Orfield	Smith	Wolf
Daggett	Harder	Leighton	Osskopp	Solberg	Workman
Davids	Hasskamp	Lenczewski	Otremba	Stanek	Spk. Sviggum
Dawkins	Hausman	Leppik	Ozment	Stang	
Dehler	Hilty	Lieder	Paulsen	Storm	
Dempsey	Holsten	Lindner	Pawlenty	Swenson	

The motion prevailed and the amendment was adopted.

Juhnke and Hausman moved to amend H. F. No. 2387, the first engrossment, as amended, as follows:

Page 15, line 1, delete "20,000,000" and insert "15,380,000"

Page 15, after line 5, insert:

"Sec. 10. TRANSIT	2,310,000	2,310,000
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\$460,000 each year is added to the appropriation to the department of transportation for greater Minnesota transit assistance, and \$1,850,000 each year is added to the appropriation to the metropolitan council for metropolitan transit. These appropriations are from the general fund."

Renumber the sections in sequence and correct internal references

Adjust fund totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Juhnke and Hausman amendment and the roll was called. There were 59 yeas and 71 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Folliard	Johnson	Luther	Orfield	Skoglund
Bakk	Gleason	Juhnke	Mahoney	Otremba	Solberg
Biernat	Greenfield	Kahn	Mariani	Paymar	Tomassoni
Carlson	Greiling	Kelliher	Marko	Pelowski	Trimble
Carruthers	Hasskamp	Koskinen	McCollum	Peterson	Tunheim
Chaudhary	Hausman	Kubly	McGuire	Pugh	Wagenius
Clark, K.	Hilty	Larson, D.	Milbert	Rest	Wejzman
Dawkins	Huntley	Leighton	Mullery	Rukavina	Wenzel
Dorn	Jaros	Lenczewski	Murphy	Schumacher	Winter
Entenza	Jennings	Lieder	Opatz	Skoe	

Those who voted in the negative were:

Abeler	Dehler	Hackbarth	Mares	Rhodes	Tingelstad
Abrams	Dempsey	Harder	McElroy	Rifenberg	Tuma
Anderson, B.	Dorman	Holsten	Molnau	Rostberg	Van Dellen
Bishop	Erhardt	Howes	Mulder	Seagren	Vandever
Boudreau	Erickson	Kalis	Ness	Seifert, J.	Westerberg
Bradley	Finseth	Kielkucki	Nornes	Seifert, M.	Westfall
Broecker	Fuller	Knoblach	Olson	Smith	Westrom
Buesgens	Gerlach	Krinkie	Osskopp	Stanek	Wilkin
Cassell	Goodno	Kuisle	Ozment	Stang	Wolf
Clark, J.	Gunther	Larsen, P.	Paulsen	Storm	Workman
Daggett	Haake	Leppik	Pawlenty	Swenson	Spk. Sviggum
Davids	Haas	Lindner	Reuter	Sykora	

The motion did not prevail and the amendment was not adopted.

The Speaker called Abrams to the Chair.



Leppik	Ness	Pelowski	Seifert, M.	Tingelstad	Wilkin
Lindner	Nornes	Reuter	Smith	Tuma	Wolf
Luther	Olson	Rhodes	Stanek	Van Dellen	Workman
Mares	Osskopp	Rifenberg	Stang	Vandev eer	Spk. Sviggum
McElroy	Ozment	Rostberg	Storm	Westerberg	
Molnau	Paulsen	Seagren	Swenson	Westfall	
Mulder	Pawlenty	Seifert, J.	Sykora	Westrom	

The motion did not prevail and the amendment was not adopted.

Chaudhary moved to amend H. F. No. 2387, the first engrossment, as amended, as follows:

Page 4, line 15, delete "3,173,000" and "1,565,000" and insert "3,348,000" and "1,690,000"

Page 4, line 17, delete "1,909,000" and "266,000" and insert "2,084,000" and "391,000"

Page 4, after line 30, insert:

"\$175,000 the first year and \$125,000 the second year are from the general fund for the second phase of the commuter rail study authorized under Laws 1997, chapter 159, article 2, section 51. As part of the second phase the commissioner shall conduct an in-depth study of the lines identified for further study under the phase I report, including ridership estimates, capital costs, appropriate technology, and the economic, environmental, social, and financial effects of implementing those lines. This amount may not be added to the agency's budget base."

Page 15, line 1, delete "20,000,000" and insert "19,700,000"

Adjust fund totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Chaudhary amendment and the roll was called. There were 55 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Abeler	Entenza	Jennings	Mariani	Paymar	Tunheim
Anderson, I.	Folliard	Johnson	Marko	Peterson	Wagenius
Bakk	Gleason	Juhnke	McCollum	Pugh	Wejeman
Biernat	Greenfield	Kahn	McGuire	Rest	Wenzel
Carlson	Greiling	Kelliher	Milbert	Rukavina	Winter
Carruthers	Hasskamp	Koskinen	Mullery	Schumacher	
Chaudhary	Hausman	Kubly	Murphy	Skoe	
Clark, K.	Hilty	Leighton	Opatz	Skoglund	
Dawkins	Huntley	Lieder	Orfield	Tomassoni	
Dorn	Jaros	Mahoney	Otremba	Trimble	

Those who voted in the negative were:

Abrams	Dorman	Holsten	Mares	Rhodes	Van Dellen
Anderson, B.	Erhardt	Howes	McElroy	Rifenberg	Vandever
Bishop	Erickson	Kalis	Molnau	Seagren	Westerberg
Boudreau	Finseth	Kielkucki	Mulder	Seifert, J.	Westfall
Bradley	Fuller	Knoblach	Ness	Seifert, M.	Westrom
Broecker	Gerlach	Krinkie	Nornes	Smith	Wilkin
Buesgens	Goodno	Kuisle	Olson	Stanek	Wolf
Cassell	Gunther	Larsen, P.	Osskopp	Stang	Workman
Clark, J.	Haake	Larson, D.	Ozment	Storm	Spk. Sviggum
Daggett	Haas	Lenczewski	Paulsen	Swenson	
Davids	Hackbarth	Leppik	Pawlenty	Sykora	
Dehler	Harder	Lindner	Pelowski	Tingelstad	
Dempsey	Holberg	Luther	Reuter	Tuma	

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Kalis moved to amend H. F. No. 2387, the first engrossment, as amended, as follows:

Page 6, line 31, delete "914,392,000" and insert "914,317,000" and delete "921,035,000" and insert "920,960,000"

Page 7, delete lines 20 to 25

Page 14, delete section 8

Pages 30 to 32, delete section 30

Renumber the sections in sequence and correct internal references

Amend the title accordingly

Adjust fund totals accordingly

A roll call was requested and properly seconded.

#### POINT OF ORDER

Carruthers raised a point of order pursuant to section 124, of "Mason's Manual of Legislative Procedure," relating to Personalities Not Permitted in Debate. The Speaker ruled the point of order not well taken.

The question was taken on the Kalis amendment and the roll was called. There were 92 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abrams	Biernat	Cassell	Daggett	Dehler	Entenza
Anderson, I.	Carlson	Chaudhary	Davids	Dorman	Erhardt
Bakk	Carruthers	Clark, K.	Dawkins	Dorn	Erickson

Finseth	Huntley	Leppik	Ness	Rhodes	Tuma
Folliard	Jaros	Lieder	Nornes	Rifenberg	Tunheim
Fuller	Jennings	Luther	Olson	Rostberg	Van Dellen
Gleason	Johnson	Mahoney	Opatz	Rukavina	Wagenius
Greenfield	Kahn	Mares	Orfield	Schumacher	Wejzman
Greiling	Kalis	Mariani	Osskopp	Seifert, J.	Wenzel
Gunther	Kelliher	Marko	Otremba	Seifert, M.	Westerberg
Haas	Knoblach	McCollum	Paymar	Skoe	Westfall
Hasskamp	Koskinen	McGuire	Pelowski	Skoglund	Winter
Hausman	Kubly	Milbert	Peterson	Solberg	
Hilty	Larson, D.	Mulder	Pugh	Stang	
Holberg	Leighton	Mullery	Rest	Tomassoni	
Howes	Lenczewski	Murphy	Reuter	Trimble	

Those who voted in the negative were:

Abeler	Clark, J.	Holsten	McElroy	Stanek	Wilkin
Anderson, B.	Dempsey	Juhnke	Molnau	Storm	Wolf
Bishop	Gerlach	Kielkucki	Ozment	Swenson	Workman
Boudreau	Goodno	Krinkie	Paulsen	Sykora	Spk. Sviggum
Bradley	Haake	Kuisle	Pawlenty	Tingelstad	
Broecker	Hackbarth	Larsen, P.	Seagren	Vandever	
Buesgens	Harder	Lindner	Smith	Westrom	

The motion prevailed and the amendment was adopted.

Larson, D., moved to amend H. F. No. 2387, the first engrossment, as amended, as follows:

Page 15, delete section 9

Re-number sections in sequence

Correct internal references

Adjust fund totals accordingly

A roll call was requested and properly seconded.

The question was taken on the Larson, D., amendment and the roll was called. There were 51 yeas and 77 nays as follows:

Those who voted in the affirmative were:

Anderson, I.	Entenza	Jaros	Mahoney	Orfield	Tomassoni
Bakk	Folliard	Jennings	Mariani	Otremba	Trimble
Biernat	Gleason	Johnson	Marko	Paymar	Wagenius
Carlson	Greenfield	Kahn	McCollum	Pugh	Wejzman
Carruthers	Greiling	Kelliher	McGuire	Rest	Westerberg
Chaudhary	Hasskamp	Koskinen	Milbert	Rukavina	Winter
Clark, K.	Hausman	Larson, D.	Mullery	Schumacher	
Dawkins	Hilty	Lenczewski	Murphy	Skoglund	
Dorn	Huntley	Luther	Opatz	Solberg	

Those who voted in the negative were:

Abeler	Dempsey	Holberg	Lindner	Peterson	Sykora
Abrams	Dorman	Holsten	Mares	Reuter	Tingelstad
Anderson, B.	Erhardt	Howes	McElroy	Rhodes	Tuma
Bishop	Erickson	Juhnke	Molnau	Rifenberg	Tunheim
Boudreau	Finseth	Kalis	Mulder	Rostberg	Van Dellen
Bradley	Fuller	Kielkucki	Ness	Seagren	Vandever
Broecker	Gerlach	Knoblach	Nornes	Seifert, J.	Wenzel
Buesgens	Goodno	Krinkie	Olson	Seifert, M.	Westfall
Cassell	Gunther	Kubly	Osskopp	Smith	Westrom
Clark, J.	Haake	Kuisle	Ozment	Stanek	Wilkin
Daggett	Haas	Larsen, P.	Paulsen	Stang	Wolf
Davids	Hackbarth	Leighton	Pawlenty	Storm	Spk. Sviggum
Dehler	Harder	Leppik	Pelowski	Swenson	

The motion did not prevail and the amendment was not adopted.

#### CALL OF THE HOUSE

On the motion of Pawlenty and on the demand of 10 members, a call of the House was ordered. The following members answered to their names:

Abeler	Dorn	Howes	Mahoney	Paymar	Tingelstad
Abrams	Entenza	Huntley	Mares	Pelowski	Tomassoni
Anderson, B.	Erhardt	Jennings	Mariani	Peterson	Trimble
Anderson, I.	Erickson	Johnson	Marko	Pugh	Tuma
Bakk	Finseth	Juhnke	McCollum	Rest	Tunheim
Biernat	Folliard	Kahn	McElroy	Reuter	Van Dellen
Bishop	Fuller	Kalis	McGuire	Rhodes	Vandever
Boudreau	Gerlach	Kelliher	Milbert	Rifenberg	Wagenius
Bradley	Gleason	Kielkucki	Molnau	Rostberg	Wejzman
Broecker	Goodno	Knoblach	Mulder	Rukavina	Wenzel
Buesgens	Greenfield	Koskinen	Mullery	Schumacher	Westerberg
Carruthers	Greiling	Krinkie	Murphy	Seagren	Westfall
Cassell	Gunther	Kubly	Ness	Seifert, J.	Westrom
Chaudhary	Haake	Kuisle	Nornes	Seifert, M.	Wilkin
Clark, J.	Haas	Larsen, P.	Olson	Skoe	Winter
Clark, K.	Hackbarth	Larson, D.	Opatz	Skoglund	Wolf
Daggett	Harder	Leighton	Orfield	Smith	Workman
Davids	Hasskamp	Lenczewski	Osskopp	Stanek	Spk. Sviggum
Dawkins	Hausman	Leppik	Otremba	Stang	
Dehler	Hilty	Lieder	Ozment	Storm	
Dempsey	Holberg	Lindner	Paulsen	Swenson	
Dorman	Holsten	Luther	Pawlenty	Sykora	

Abrams moved that further proceedings of the roll call be suspended and that the Sergeant at Arms be instructed to bring in the absentees. The motion prevailed and it was so ordered.

H. F. No. 2387, A bill for an act relating to transportation; appropriating money for the department of transportation and other agencies; providing for a maximum percentage of the motorcycle safety fund that may be spent for certain activities; authorizing suspension of a vehicle's registration in certain circumstances; requiring a

detachable postcard to be provided in a vehicle's certificate of title and completed on transfer of the vehicle; modifying provisions relating to disability parking privileges; abolishing certain credit for vehicle registration fee; specifically authorizing cities to enact ordinances regulating long-term parking; requiring the department of public safety to provide photo identification equipment to certain driver's license agents; reducing cost of Minnesota identification card for persons with serious and persistent mental illness; authorizing siting of public safety radio communications towers; directing commissioner of transportation to establish a southern railway corridor improvement plan; clarifying snowmobile gas tax provision; regulating advertising in department of public safety publications; modifying provisions relating to special number plates for collector aircraft; amending Minnesota Statutes 1998, sections 121A.36, subdivision 3; 168.021, subdivision 2; 168.17; 168.301, subdivisions 3 and 4; 168A.05, subdivision 5; 168A.10, subdivisions 1, 2, and 5; 168A.30, subdivision 2; 169.345, subdivisions 1, 2, 3, and 4; 169.346, subdivision 3, and by adding a subdivision; 171.061, subdivision 4; 171.07, subdivision 3; 174.70; 296A.18, subdivision 3; 299A.01, by adding a subdivision; and 360.55, subdivision 4; Laws 1997, chapter 159, article 1, sections 2, subdivision 7; and 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 174; and 219.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called.

Pawlenty moved that those not voting be excused from voting. The motion prevailed.

There were 78 yeas and 52 nays as follows:

Those who voted in the affirmative were:

Abeler	Dempsey	Holberg	Lindner	Peterson	Sykora
Abrams	Dorman	Holsten	Mares	Reuter	Tingelstad
Anderson, B.	Erhardt	Howes	McElroy	Rhodes	Tuma
Bishop	Erickson	Juhnke	Molnau	Rifenberg	Van Dellen
Boudreau	Finseth	Kalis	Mulder	Rostberg	Vandever
Bradley	Fuller	Kielkucki	Ness	Seagren	Wenzel
Broecker	Gerlach	Knoblach	Nornes	Seifert, J.	Westerberg
Buesgens	Goodno	Krinkie	Olson	Seifert, M.	Westfall
Cassell	Gunther	Kubly	Osskopp	Smith	Westrom
Clark, J.	Haake	Kuisle	Ozment	Stanek	Wilkin
Daggett	Haas	Larsen, P.	Paulsen	Stang	Wolf
Davids	Hackbarth	Leppik	Pawlenty	Storm	Workman
Dehler	Harder	Lieder	Pelowski	Swenson	Spk. Sviggum

Those who voted in the negative were:

Anderson, I.	Entenza	Jennings	Mahoney	Orfield	Solberg
Bakk	Folliard	Johnson	Mariani	Otremba	Tomassoni
Biernat	Gleason	Kahn	Marko	Paymar	Trimble
Carlson	Greenfield	Kelliher	McCollum	Pugh	Tunheim
Carruthers	Greiling	Koskinen	McGuire	Rest	Wagenius
Chaudhary	Hasskamp	Larson, D.	Milbert	Rukavina	Wejeman
Clark, K.	Hausman	Leighton	Mullery	Schumacher	Winter
Dawkins	Hilty	Lenczewski	Murphy	Skoe	
Dorn	Huntley	Luther	Opatz	Skoglund	

The bill was passed, as amended, and its title agreed to.

**CALENDAR FOR THE DAY**

Pawlenty moved that the Calendar for the Day be continued. The motion prevailed.

**MOTIONS AND RESOLUTIONS**

Carruthers moved that the name of Daggett be added as an author on H. F. No. 2377. The motion prevailed.

**ANNOUNCEMENTS BY THE SPEAKER**

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 1568:

Boudreau, Tunheim and Olson.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 510:

Boudreau, Wilkin and Greenfield.

The Speaker announced the appointment of the following members of the House to a Conference Committee on S. F. No. 778:

Kuise, Molnau and Juhnke.

**ADJOURNMENT**

Pawlenty moved that when the House adjourns today it adjourn until 12:30 p.m., Friday, April 16, 1999. The motion prevailed.

Pawlenty moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 12:30 p.m., Friday, April 16, 1999.

EDWARD A. BURDICK, Chief Clerk, House of Representatives